

Senate, March 9, 1998. The Committee on General Law reported through SEN. COLAPIETRO, 31st DIST., Chairman of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING TECHNICAL REVISIONS TO CHAPTER 392 OF THE GENERAL STATUTES CONCERNING REAL ESTATE BROKERS AND SALESPERSONS, TO CERTAIN STATUTES CONCERNING THE CONNECTICUT REAL ESTATE COMMISSION AND THE CONNECTICUT REAL ESTATE APPRAISAL COMMISSION, AND TO CHAPTER 400g OF THE GENERAL STATUTES CONCERNING REAL ESTATE APPRAISERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-311 of the general
2 statutes is repealed and the following is
3 substituted in lieu thereof:

4 As used in this chapter, AS AMENDED BY THIS
5 ACT, UNLESS THE CONTEXT OTHERWISE REQUIRES:

6 (1) "Real estate broker" OR "BROKER" means
7 (A) any person, partnership, association, limited
8 liability company or corporation which, for
9 another and for a fee, commission or other
10 valuable consideration, lists for sale, sells,
11 exchanges, buys or rents, or offers or attempts to
12 negotiate a sale, exchange, purchase or rental of,
13 an estate or interest in real estate, or a resale
14 of a mobile manufactured home, as defined in
15 [subsection (a)] SUBDIVISION (1) of section 21-64,
16 or collects or offers or attempts to collect rent
17 for the use of real estate, [. "Real estate

18 broker" also includes] AND (B) any person,
19 partnership, association, limited liability
20 company or corporation employed by or on behalf of
21 the owner or owners of lots or other parcels of
22 real estate, at a stated salary, upon commission,
23 upon a salary and commission basis or otherwise to
24 sell such real estate, or any parts thereof, in
25 lots or other parcels, and who sells or exchanges,
26 or offers, attempts or agrees to negotiate the
27 sale or exchange of, any such lot or parcel of
28 real estate;

29 (2) "Real estate salesperson" OR
30 "SALESPERSON" means a person affiliated with any
31 real estate broker as an independent contractor or
32 employed by a real estate broker to list for sale,
33 sell or offer for sale, to buy or offer to buy or
34 to negotiate the purchase or sale or exchange of
35 real estate, or to offer for resale, a mobile
36 manufactured home, as defined in [subsection (a)]
37 SUBDIVISION (1) of section 21-64, or to lease or
38 rent or offer to lease, rent or place for rent any
39 real estate, or to collect or offer or attempt to
40 collect rent for the use of real estate for or
41 [in] ON behalf of such real estate broker, or who
42 offers, sells or attempts to sell the real estate
43 or mobile manufactured homes of a licensed broker,
44 [provided] BUT DOES NOT INCLUDE employees of any
45 real estate broker whose principal occupation is
46 clerical work in an office, or janitors or
47 custodians engaged principally in that occupation;
48 [, shall not be deemed to be real estate
49 salespersons within the terms of this chapter;]

50 (3) "Engaging in the real estate business"
51 means acting for another and for a fee, commission
52 or other valuable consideration in the listing for
53 sale, selling, exchanging, buying or renting, or
54 offering or attempting to negotiate a sale,
55 exchange, purchase or rental of, an estate or
56 interest in real estate or a resale of a mobile
57 manufactured home, as defined in [subsection (a)]
58 SUBDIVISION (1) of section 21-64, or collecting
59 upon a loan secured or to be secured by a mortgage
60 or other encumbrance upon or transfer of real
61 estate;

62 (4) "Person" means [and includes] any
63 individual, partnership, association, limited
64 liability company or corporation; AND

65 (5) "COMMISSION" MEANS THE CONNECTICUT REAL
66 ESTATE COMMISSION APPOINTED UNDER THE PROVISIONS
67 OF SECTION 20-311a, AS AMENDED BY THIS ACT.

68 Sec. 2. Section 20-311a of the general
69 statutes is repealed and the following is
70 substituted in lieu thereof:

71 (a) There is created in the Department of
72 Consumer Protection the Connecticut Real Estate
73 Commission.

74 (b) The [Real Estate Commission] COMMISSION
75 shall consist of eight persons, electors of the
76 state, appointed by the Governor. Three of the
77 members shall be at the time of appointment
78 licensed real estate brokers, two of the members
79 shall be at the time of appointment licensed real
80 estate salespersons and three of the members shall
81 be public members. Not more than a bare majority
82 of [said] THE commission shall be members of the
83 same political party and there shall be at least
84 one member from each congressional district.

85 (c) The members of the [Real Estate
86 Commission] COMMISSION shall serve until the
87 expiration of the term for which they were
88 appointed and until their successors have
89 qualified. Members shall not be compensated for
90 their services but shall be reimbursed for
91 necessary expenses incurred in the performance of
92 their duties. The Governor may remove any
93 [commissioner] MEMBER for cause upon notice and an
94 opportunity to be heard. Upon the death,
95 resignation or removal of a member, the Governor
96 shall appoint a successor to serve for the
97 unexpired portion of the vacated term and until
98 [his] SUCH MEMBER'S successor is appointed and
99 qualifies. Each member shall, before entering upon
100 his duties, take and file with the [Real Estate
101 Commission] COMMISSION an oath TO faithfully [to]
102 perform the duties of his office.

103 Sec. 3. Section 20-311b of the general
104 statutes is repealed and the following is
105 substituted in lieu thereof:

106 (a) Within thirty days after the appointment
107 of the members of the [Real Estate Commission]
108 COMMISSION, the commission shall meet in the city
109 of Hartford for the purpose of organizing by
110 selecting such officers other than a chairperson
111 as the commission may deem necessary and
112 appropriate. A majority of the members of the

113 commission shall constitute a quorum for the
114 exercise of the powers or authority conferred upon
115 it.

116 (b) (1) The [Real Estate Commission]
117 COMMISSION shall authorize the Department of
118 Consumer Protection to issue licenses to real
119 estate brokers and real estate salespersons. The
120 [Real Estate Commission] COMMISSION shall receive
121 and approve applications for real estate student
122 intern programs pursuant to the provisions of
123 section 20-314c, AS AMENDED BY THIS ACT.

124 (2) The [Real Estate Commission] COMMISSION
125 shall administer the provisions of this chapter,
126 AS AMENDED BY THIS ACT, as to licensure and
127 issuance, renewal, suspension or revocation of
128 licenses concerning the real estate business.

129 (c) The commission shall be provided with the
130 necessary office space in Hartford by the
131 Commissioner of Public Works, [and the] THE PLACE
132 OF BUSINESS OF THE commission and all files,
133 records and property of the commission shall at
134 all times be and remain [therein] AT SUCH OFFICE,
135 except that inactive files shall be stored at a
136 location designated by the commission.

137 (d) The commission shall hold meetings and
138 hearings in Hartford, in space provided by the
139 Commissioner of Administrative Services, or at
140 such places outside of Hartford as shall be
141 determined by the chairman of the commission. The
142 commission shall meet at least once in each [three
143 months'] THREE-MONTH period and may meet more
144 often [on] AT THE call of its chairman. The
145 chairman of the commission shall call a meeting of
146 the commission whenever requested to do so by a
147 majority of the members of the commission.

148 (e) The commission shall vote on all matters
149 requiring a decision and votes shall be recorded
150 in the commission's minutes.

151 Sec. 4. Section 20-311d of the general
152 statutes is repealed and the following is
153 substituted in lieu thereof:

154 The chairman OF THE COMMISSION shall be
155 bonded under the provisions of section 4-20, in
156 such sum as the State Insurance Purchasing Board
157 may prescribe, with THE condition that [he] THE
158 CHAIRMAN faithfully perform the duties of his
159 office and account for all funds received [under
160 color of his] PURSUANT TO SUCH office.

161 Sec. 5. Section 20-311f of the general
162 statutes is repealed and the following is
163 substituted in lieu thereof:

164 The commission shall have THE power to act as
165 a board of arbitration to consider and decide any
166 dispute over commissions arising between brokers
167 or salespersons THAT IS voluntarily submitted to
168 the commission by the parties to such dispute.

169 Sec. 6. Subsection (a) of section 20-312 of
170 the general statutes is repealed and the following
171 is substituted in lieu thereof:

172 (a) No person shall act as a real estate
173 broker or real estate salesperson without a
174 license issued by the commission, unless [exempted
175 by the provisions of] EXEMPT UNDER this chapter,
176 AS AMENDED BY THIS ACT. The Commissioner of
177 Consumer Protection may enter into any contract
178 for the purpose of administratively processing the
179 renewal of licenses on behalf of the [Connecticut
180 Real Estate Commission] COMMISSION.

181 Sec. 7. Section 20-313 of the general
182 statutes is repealed and the following is
183 substituted in lieu thereof:

184 Any person possessing the qualifications
185 prescribed in this chapter, AS AMENDED BY THIS
186 ACT, and in any regulations adopted [in conformity
187 thereto] UNDER THIS CHAPTER, AS AMENDED BY THIS
188 ACT, who desires to engage in the real estate
189 business shall make application, in writing, as
190 [hereinafter] provided IN THIS CHAPTER, AS AMENDED
191 BY THIS ACT, to the commission for the specific
192 license desired.

193 Sec. 8. Section 20-314 of the general
194 statutes is repealed and the following is
195 substituted in lieu thereof:

196 (a) Licenses shall be granted UNDER THIS
197 CHAPTER, AS AMENDED BY THIS ACT, only to persons
198 who bear a good reputation for honesty,
199 truthfulness and fair dealing and who are
200 competent to transact the business of a real
201 estate broker or real estate salesperson in such
202 manner as to safeguard the interests of the
203 public.

204 (b) Each application for a license or for a
205 renewal thereof shall be made in writing, on such
206 forms and in such manner as is prescribed by the
207 Department of Consumer Protection and accompanied
208 by such evidence in support of such application as

209 is prescribed by the commission. The commission
210 may require such information with regard to an
211 applicant as [it] THE COMMISSION deems desirable,
212 with due regard to the paramount interests of the
213 public, as to the honesty, truthfulness, integrity
214 and competency of the applicant and, where the
215 applicant is a corporation, association or
216 partnership, as to the honesty, truthfulness,
217 integrity and competency of the officers of such
218 corporation or the members of such association or
219 partnership.

220 (c) In order to determine the competency of
221 any applicant for a real estate broker's license
222 or a real estate salesperson's license the
223 commission shall, on payment to [it] THE
224 COMMISSION of an application fee of sixty dollars
225 [,] by an applicant for a real estate broker's
226 license or on payment to [it] THE COMMISSION of an
227 application fee of forty dollars by an applicant
228 for a real estate salesperson's license, subject
229 such applicant to personal written examination as
230 to [his] THE APPLICANT'S competency to act as a
231 real estate broker or real estate salesperson, as
232 the case may be. Such examination shall be
233 prepared by the Department of Consumer Protection
234 or by a national testing service designated by the
235 Commissioner of Consumer Protection and shall be
236 administered to applicants by the Department of
237 Consumer Protection or by such testing service at
238 such times and places as [said] THE commissioner
239 may deem necessary. The commission may waive the
240 uniform portion of the written examination
241 requirement in the case of an applicant who has
242 taken the national testing service examination in
243 another state within two years from the date of
244 application and has received a score deemed
245 satisfactory by the commission. The Commissioner
246 of Consumer Protection shall adopt regulations, IN
247 ACCORDANCE WITH CHAPTER 54, establishing passing
248 scores for examinations. In addition to such
249 application fee, applicants taking the examination
250 administered by a national testing service shall
251 be required to pay directly to such testing
252 service an examination fee covering the cost of
253 such examination. Each payment of such application
254 fee shall entitle the applicant to take such
255 examination four times within the one-year period
256 from the date of payment. Eligibility to take such

257 examination may be renewed annually upon payment
258 of an additional five-dollar fee.

259 (d) (1) Each applicant for a real estate
260 broker's license shall, before being admitted to
261 such examination, prove to the satisfaction of the
262 [Real Estate Commission] COMMISSION: (A) (i) That
263 [he] THE APPLICANT has been actively engaged for
264 at least two years as a licensed real estate
265 salesperson under the supervision of a licensed
266 real estate broker in this state, (ii) that [he]
267 THE APPLICANT has successfully completed a course
268 approved by the commission in real estate
269 principles and practices of at least thirty
270 classroom hours of study, (iii) that [he] THE
271 APPLICANT has successfully completed a course
272 approved by the commission in real estate
273 appraisal consisting of at least thirty classroom
274 hours of study, and (iv) that [he] THE APPLICANT
275 has successfully completed a course approved by
276 the commission consisting of at least thirty
277 classroom hours as prescribed by the commission,
278 or (B) that [he] THE APPLICANT has equivalent
279 experience or education as determined by the
280 commission.

281 (2) Each applicant for a real estate
282 salesperson's license shall, before being admitted
283 to such examination, prove to the satisfaction of
284 the [Real Estate Commission] COMMISSION (A) that
285 [he] THE APPLICANT has successfully completed a
286 course approved by the commission in real estate
287 principles and practices consisting of at least
288 thirty classroom hours of study, or (B) that [he]
289 THE APPLICANT has equivalent experience or
290 education as determined by the commission.

291 (e) The provisions of subsections (c) and (d)
292 of this section shall not apply to any renewal of
293 a real estate broker's license, or a real estate
294 salesperson's license issued prior to October 1,
295 1973.

296 (f) All licenses issued under the provisions
297 of this chapter, AS AMENDED BY THIS ACT, shall
298 expire annually. At the time of application for a
299 real estate broker's license, there shall be paid
300 to the [Real Estate Commission] COMMISSION, for
301 each individual applicant and for each proposed
302 active member or officer of a firm, partnership,
303 association or corporation, the sum of four
304 hundred fifty dollars, and for the annual renewal

305 thereof, the sum of three hundred dollars and for
306 a real estate salesperson's license two hundred
307 twenty-five dollars and for the annual renewal
308 thereof the sum of two hundred twenty-five
309 dollars. If a license is not issued, the fee shall
310 be returned. [Persons holding a current real
311 estate broker's or salesperson's license shall not
312 be required to pay the fee for a residential
313 appraiser's license or renewal thereof until April
314 30, 1992, provided they have met all requirements
315 set forth in sections 20-508 to 20-511, inclusive,
316 and 20-515.] A real estate broker's license issued
317 to any partnership, association or corporation
318 shall entitle the individual designated in the
319 application, as provided in section 20-312, AS
320 AMENDED BY THIS ACT, upon compliance with the
321 terms of this chapter, AS AMENDED BY THIS ACT, but
322 without the payment of any further fee, to perform
323 all of the acts of a real estate broker
324 [contemplated by] UNDER this chapter, AS AMENDED
325 BY THIS ACT, on behalf of such partnership,
326 association or corporation. Any license which
327 expires AND IS NOT RENEWED pursuant to this
328 subsection may be reinstated by the commission,
329 if, not later than two years after the date of
330 expiration, the former licensee pays to the
331 commission for each real estate broker's license
332 the sum of three hundred dollars and for each real
333 estate salesperson's license the sum of two
334 hundred twenty-five dollars for each year or
335 fraction thereof from the date of expiration of
336 the previous license to the date of payment for
337 reinstatement, except that any licensee whose
338 license expired after [his entering] SUCH LICENSEE
339 ENTERED military service shall be reinstated
340 without payment of any fee if an application for
341 reinstatement is filed with the commission within
342 two years after the date of expiration. Any such
343 reinstated license shall expire on the next
344 succeeding April thirtieth.

345 (g) Any person whose application has been
346 filed as [herein] provided IN THIS SECTION AND who
347 is refused a license shall be given notice and
348 afforded AN opportunity for hearing as provided in
349 the regulations [established] ADOPTED by the
350 Commissioner of Consumer Protection.

351 Sec. 9. Section 20-314a of the general

352 statutes is repealed and the following is
353 substituted in lieu thereof:

354 The Commissioner of Consumer Protection, with
355 the advice and assistance of the [Real Estate
356 Commission] COMMISSION, may [make] ADOPT such
357 reasonable regulations, IN ACCORDANCE WITH CHAPTER
358 54, as the commissioner [may deem] DEEMS necessary
359 relating to the approval of schools offering
360 courses in real estate principles and practice and
361 related subjects, or real estate student intern
362 programs, the content of such courses or programs
363 and the advertising to the public of the services
364 of such schools. Such regulations shall not
365 require approval of instructors at such schools.
366 The [Real Estate Commission] COMMISSION may exempt
367 any applicant for a real estate broker's license
368 from the requirements concerning experience under
369 the provisions of subsection (d) of section
370 20-314, AS AMENDED BY THIS ACT, if [it] THE
371 COMMISSION determines that such applicant is
372 unable to meet such requirements solely because
373 such applicant has been subjected to
374 discrimination based on race, creed or color,
375 which discrimination interfered with [his] SUCH
376 APPLICANT'S ability to meet such requirements.

377 Sec. 10. Section 20-314c of the general
378 statutes is repealed and the following is
379 substituted in lieu thereof:

380 Any student who wishes to enroll in a real
381 estate student intern program in this state, shall
382 file an application with the [real estate]
383 commission. The commission shall approve such
384 application if it appears to the satisfaction of
385 the commission that the program is provided by an
386 accredited school and the student will be under
387 the direct supervision of a real estate broker
388 licensed in the state. The application shall
389 contain the name and address of such licensed real
390 estate broker, and a statement from the broker
391 that [he] SUCH BROKER shall be liable for any acts
392 of negligence, fraud or misrepresentation by such
393 student while under such broker's supervision. If
394 the commission approves the application, [it] THE
395 COMMISSION shall exempt such student from the
396 license requirements of this chapter, AS AMENDED
397 BY THIS ACT, during the period in which such
398 student is acting as an intern under the direct

399 supervision of a real estate broker licensed in
400 the state while enrolled in such intern program.

401 Sec. 11. Section 20-316 of the general
402 statutes is repealed and the following is
403 substituted in lieu thereof:

404 (a) No license UNDER THIS CHAPTER, AS AMENDED
405 BY THIS ACT, shall be denied by the [Real Estate
406 Commission] COMMISSION to any applicant who has
407 been convicted of forgery, embezzlement, obtaining
408 money under false pretenses, extortion, criminal
409 conspiracy to defraud or other like offense or
410 offenses, or to any association or partnership of
411 which such person is a member, or to any
412 corporation of which such person is an officer or
413 in which as a stockholder such person has or
414 exercises a controlling interest either directly
415 or indirectly, except in accordance with the
416 provisions of section 46a-80.

417 (b) No license UNDER THIS CHAPTER, AS AMENDED
418 BY THIS ACT, shall be issued by the Department of
419 Consumer Protection to any applicant (1) whose
420 application for a license as a real estate broker
421 or real estate salesperson has, within one year
422 prior to the date of his application [hereunder]
423 UNDER THIS CHAPTER, AS AMENDED BY THIS ACT, been
424 rejected in this state, in any other state or in
425 the District of Columbia or (2) whose license as a
426 real estate broker or real estate salesperson has,
427 within one year prior to the date of his
428 application [hereunder] UNDER THIS CHAPTER, AS
429 AMENDED BY THIS ACT, been revoked in this state,
430 in any other state or in the District of Columbia.

431 (c) No license as a real estate broker or
432 real estate salesperson shall be issued UNDER THIS
433 CHAPTER, AS AMENDED BY THIS ACT, to any person who
434 has not attained the age of eighteen years.

435 (d) The provisions of this section shall
436 apply to all applicants for licenses UNDER THIS
437 CHAPTER, AS AMENDED BY THIS ACT, whether or not
438 such applicant was engaged in the real estate
439 business in this state on July 1, 1953, and
440 whenever his application is filed.

441 Sec. 12. Section 20-317 of the general
442 statutes is repealed and the following is
443 substituted in lieu thereof:

444 (a) A nonresident of this state may become a
445 real estate broker or real estate salesperson by
446 conforming to all of the provisions of this

447 chapter, AS AMENDED BY THIS ACT. The commission
448 shall recognize a current, valid license issued to
449 a currently practicing, competent real estate
450 broker or real estate salesperson by another state
451 as satisfactorily qualifying him for a license as
452 a real estate broker or real estate salesperson
453 under this chapter, AS AMENDED BY THIS ACT,
454 provided (1) the laws of the state of which he is
455 a resident require that applicants for licenses as
456 real estate brokers and real estate salespersons
457 shall establish their competency by written
458 examinations and permit licenses to be issued to
459 residents of the state of Connecticut, licensed
460 under this chapter, AS AMENDED BY THIS ACT,
461 without examination, [and provided further that]
462 (2) the licensure requirements of such state are
463 substantially similar to [,] or higher than those
464 of this state, and (3) such broker or salesperson
465 has no disciplinary proceeding or unresolved
466 complaint pending against him. If the applicant is
467 a resident of a state which does not have such
468 requirement, such applicant shall be required to
469 pass the Connecticut portion of the real estate
470 examination.

471 (b) Every nonresident applicant shall file an
472 irrevocable consent that suits and actions may be
473 commenced against such applicant in the proper
474 court in any judicial district of the state in
475 which a cause of action may arise or in which the
476 plaintiff may reside, by the service of any
477 process or pleading, authorized by the laws of
478 this state, on the chairman of the [real estate]
479 commission, such consent stipulating and agreeing
480 that such service of such process or pleading
481 shall be taken and held in all courts to be as
482 valid and binding as if service had been made upon
483 such applicant in the state of Connecticut. If any
484 process or pleadings [mentioned in] UNDER this
485 chapter, AS AMENDED BY THIS ACT, are served upon
486 [said] THE chairman, it shall be by duplicate
487 copies, one of which shall be filed in the office
488 of the commission, and the other immediately
489 forwarded by registered or certified mail, to the
490 applicant against whom such process or pleadings
491 are directed, at the last-known address of such
492 applicant as shown by the records of the
493 commission. [, and no] NO default in any such
494 proceedings or action shall be taken unless it

495 appears by affidavit of the chairman of the
496 commission that a copy of the process or pleading
497 was mailed to the defendant as [herein] required
498 BY THIS SUBSECTION, and no judgment by default
499 shall be taken in any such action or proceeding
500 within twenty days after the date of mailing of
501 such process or pleading to the nonresident
502 defendant.

503 Sec. 13. Section 20-318 of the general
504 statutes is repealed and the following is
505 substituted in lieu thereof:

506 The Department of Consumer Protection shall
507 issue to each licensee UNDER THIS CHAPTER, AS
508 AMENDED BY THIS ACT, a license certificate in such
509 size and form as [it] THE DEPARTMENT determines.

510 Sec. 14. Section 20-319 of the general
511 statutes is repealed and the following is
512 substituted in lieu thereof:

513 (a) The [Real Estate Commission] COMMISSION
514 shall authorize the Department of Consumer
515 Protection to issue [a] AN ANNUAL renewal license
516 to any applicant who possesses the qualifications
517 specified IN and otherwise has complied with the
518 provisions of this chapter, AS AMENDED BY THIS
519 ACT, and any regulation adopted [in conformity
520 thereto] UNDER THIS CHAPTER, AS AMENDED BY THIS
521 ACT.

522 (b) There is hereby established an annual
523 renewal license to be issued by the Department of
524 Consumer Protection. Persons licensed in
525 accordance with the provisions of this chapter, AS
526 AMENDED BY THIS ACT, shall fulfill a continuing
527 education requirement. Applicants for an annual
528 renewal license for real estate brokers or REAL
529 ESTATE salespersons shall, in addition to the
530 other requirements imposed by the provisions of
531 this chapter, AS AMENDED BY THIS ACT, in any
532 even-numbered year, submit proof of compliance
533 with the continuing education requirements of this
534 subsection to the [Real Estate Commission]
535 COMMISSION, accompanied by an eight-dollar
536 processing fee. The continuing education
537 requirement may be satisfied by successful
538 completion of any of the following during the
539 two-year period preceding such renewal: (1) A
540 course or courses, approved by the commission, of
541 continuing education in current real estate
542 practices and licensing laws consisting of not

543 less than twelve hours of classroom study; or (2)
544 a written examination prepared and administered by
545 either the Department of Consumer Protection, or
546 by a national testing service approved by the
547 department, which demonstrates a knowledge of
548 current real estate practices and licensing laws;
549 or (3) equivalent continuing educational
550 experience or study as determined by regulations
551 adopted pursuant to subsection (d). An applicant
552 for examination under subdivision (2) of this
553 subsection shall pay the required examination fee
554 to the national testing service, if administered
555 by such testing service, or to the Department of
556 Consumer Protection, if administered by the
557 department.

558 (c) If the [Real Estate Commission]
559 COMMISSION refuses to grant [a] AN ANNUAL renewal
560 license, the licensee or applicant, upon written
561 notice received as provided for in this chapter,
562 AS AMENDED BY THIS ACT, may have recourse to any
563 of the remedies provided by sections 20-314 and
564 20-322, AS AMENDED BY THIS ACT.

565 (d) The Commissioner of Consumer Protection,
566 in consultation with the [Real Estate Commission]
567 COMMISSION, shall adopt regulations, in accordance
568 with [the provisions of] chapter 54, concerning
569 the approval of schools, institutions or
570 organizations offering courses in current real
571 estate practices and licensing laws and the
572 content of such courses. Such regulations shall
573 include, but not be limited to: (1) Specifications
574 for meeting equivalent continuing educational
575 experience or study; (2) exceptions from
576 continuous education requirements for reasons of
577 health or instances of individual hardship.

578 Sec. 15. Section 20-319a of the general
579 statutes is repealed and the following is
580 substituted in lieu thereof:

581 (a) Any licensed real estate salesperson who
582 transfers his employment from one broker to
583 another or his affiliation with a broker as an
584 independent contractor shall register such
585 transfer with, and pay a registration fee of
586 twenty-five dollars to, the [Real Estate
587 Commission] COMMISSION.

588 (b) A fee of twenty-five dollars shall be
589 paid to the [Real Estate Commission] COMMISSION

590 for the issuance of a license certification or a
591 duplicate of a license certificate.

592 Sec. 16. Section 20-320 of the general
593 statutes is repealed and the following is
594 substituted in lieu thereof:

595 The Department of Consumer Protection may,
596 upon the request of the [Real Estate Commission]
597 COMMISSION or upon the verified complaint in
598 writing of any person, [provided] IF such
599 complaint, or such complaint together with
600 evidence, documentary or otherwise, presented in
601 connection [therewith] WITH SUCH COMPLAINT, shall
602 make out a prima facie case, investigate the
603 actions of any real estate broker or real estate
604 salesperson or any person who assumes to act in
605 any of such capacities within this state. The
606 [Real Estate Commission shall have the power
607 temporarily to suspend or permanently to]
608 COMMISSION MAY TEMPORARILY SUSPEND OR PERMANENTLY
609 revoke any license issued under the provisions of
610 this chapter, AS AMENDED BY THIS ACT, and, in
611 addition to or in lieu of such suspension or
612 revocation, may, in its discretion, impose a fine
613 of not more than two thousand dollars at any time
614 when, after proceedings as provided in section
615 20-321, [it] AS AMENDED BY THIS ACT, THE
616 COMMISSION finds that the licensee has by false or
617 fraudulent misrepresentation obtained a license or
618 that the licensee is guilty of any of the
619 following: (1) Making any material
620 misrepresentation; (2) making any false promise of
621 a character likely to influence, persuade or
622 induce; (3) acting as an agent for more than one
623 party in a transaction without the knowledge of
624 all parties for whom the licensee acts; (4)
625 representing or attempting to represent a real
626 estate broker other than the licensee's employer
627 or the broker with whom the licensee is
628 affiliated, without the express knowledge and
629 consent of the licensee's employer or affiliated
630 broker; (5) failing, within a reasonable time, to
631 account for or remit any moneys coming into the
632 licensee's possession which belong to others; (6)
633 entering into an exclusive listing contract or
634 buyer agency contract which contains a fixed
635 termination date if such contract also provides
636 for an automatic continuation of the period of
637 such contract beyond such date; (7) failing to

638 deliver immediately a copy of any instrument to
639 any party or parties executing the [same]
640 INSTRUMENT, where such instrument has been
641 prepared by [such] THE licensee or under the
642 licensee's supervision and where such instrument
643 relates to the employment of the licensee or to
644 any matters pertaining to the consummation of a
645 lease, or the purchase, sale or exchange of real
646 property or any other type of real estate
647 transaction in which the licensee may participate
648 as a broker or a salesperson; (8) conviction in a
649 court of competent jurisdiction of forgery,
650 embezzlement, obtaining money under false
651 pretenses, larceny, extortion, conspiracy to
652 defraud, or other like offense or offenses,
653 provided suspension or revocation under this
654 subdivision shall be subject to the provisions of
655 section 46a-80; (9) collecting compensation in
656 advance of services to be performed and failing,
657 upon demand of the person paying the compensation
658 or the commission, to render an accounting of the
659 use of such money; (10) commingling funds of
660 others with the licensee's own, or failing to keep
661 funds of others in an escrow or trustee account;
662 (11) any act or conduct which constitutes
663 dishonest, fraudulent or improper dealings; (12)
664 failing to provide the disclosures required by
665 section 20-325c, AS AMENDED BY THIS ACT; (13) a
666 violation of any provision of this chapter, AS
667 AMENDED BY THIS ACT, or any regulation [issued]
668 ADOPTED under this chapter, AS AMENDED BY THIS
669 ACT.

670 Sec. 17. Section 20-320a of the general
671 statutes is repealed and the following is
672 substituted in lieu thereof:

673 (a) No real estate broker [,] OR real estate
674 salesperson, [as defined in section 20-311, or
675 any] NO person affiliated with such broker or
676 salesperson, [or any] AND NO person [engaged]
677 ENGAGING in the real estate business [, as defined
678 in said section,] may receive a fee, commission or
679 other form of referral fee for the referral of any
680 buyer of real property to (1) an attorney-at-law
681 admitted to practice in this state or any person
682 affiliated with such attorney or (2) any mortgage
683 broker, [or mortgage] ANY lender, as defined in
684 subdivision (5) of section 49-31d, or any person
685 affiliated with such mortgage broker or lender.

686 (b) The Department of Consumer Protection
687 may, upon the request of the [Real Estate
688 Commission] COMMISSION or upon the verified
689 complaint in writing of any person, [provided] IF
690 such complaint, or such complaint together with
691 evidence, documentary or otherwise, presented in
692 connection [therewith] WITH SUCH COMPLAINT, shall
693 make out a prima facie case, investigate the
694 actions of any real estate broker or real estate
695 salesperson or any person who assumes to act in
696 any of such capacities within this state. The
697 [Real Estate Commission shall have the power
698 temporarily to suspend or permanently to]
699 COMMISSION MAY TEMPORARILY SUSPEND OR PERMANENTLY
700 revoke any license issued under the provisions of
701 THIS chapter, [392] AS AMENDED BY THIS ACT, and,
702 in addition to or in lieu of such suspension or
703 revocation, may, in its discretion, impose a fine
704 of not more than one thousand dollars for the
705 first offense at any time when, after proceedings
706 as provided in section 20-321, [it] AS AMENDED BY
707 THIS ACT, THE COMMISSION finds that the licensee
708 is guilty of violating any of the provisions of
709 subsection (a) of this section.

710 Sec. 18. Section 20-321 of the general
711 statutes is repealed and the following is
712 substituted in lieu thereof:

713 Before refusing, suspending or revoking any
714 license or imposing any fine UNDER THIS CHAPTER,
715 AS AMENDED BY THIS ACT, the [Real Estate
716 Commission] COMMISSION shall give notice and
717 afford AN opportunity for hearing as provided in
718 the regulations [established] ADOPTED by the
719 Commissioner of Consumer Protection.

720 Sec. 19. Section 20-322 of the general
721 statutes is repealed and the following is
722 substituted in lieu thereof:

723 Any person aggrieved by any decision or order
724 of the [Real Estate Commission] COMMISSION may
725 appeal in accordance with the provisions of
726 section 4-183.

727 Sec. 20. Section 20-323 of the general
728 statutes is repealed and the following is
729 substituted in lieu thereof:

730 Any licensee UNDER THIS CHAPTER, AS AMENDED
731 BY THIS ACT, WHO IS convicted of a violation of
732 any of the offenses enumerated in subdivision (8)
733 of section 20-320, AS AMENDED BY THIS ACT, shall

734 incur a forfeiture of his license and all moneys
735 that may have been paid [therefor] FOR SUCH
736 LICENSE. The clerk of any court [wherein] IN WHICH
737 such conviction has been [had] RENDERED shall
738 forward to the commission without charge a
739 certified copy of such conviction. The commission,
740 upon the receipt of a copy of the judgment of
741 conviction, shall, [within ten days thereafter]
742 NOT LATER THAN TEN DAYS AFTER SUCH RECEIPT, notify
743 the licensee, in writing, of the revocation of his
744 license. [, which] SUCH notice shall be conclusive
745 of the revocation [thereof] OF SUCH LICENSE.
746 Application for reinstatement of such license
747 shall be subject to the provisions of section
748 46a-80.

749 Sec. 21. Section 20-324 of the general
750 statutes is repealed and the following is
751 substituted in lieu thereof:

752 Any person wilfully misrepresenting any fact
753 required to be disclosed in any application or in
754 any other form, paper or document required to be
755 filed with the [Real Estate Commission] COMMISSION
756 in connection with an application for a license
757 UNDER THIS CHAPTER, AS AMENDED BY THIS ACT, shall
758 be fined not more than five hundred dollars or
759 imprisoned not more than six months or both.

760 Sec. 22. Section 20-324a of the general
761 statutes is repealed and the following is
762 substituted in lieu thereof:

763 The [Connecticut Real Estate Commission is
764 authorized and directed to] COMMISSION SHALL
765 establish and maintain a Real Estate Guaranty Fund
766 from which, subject to the provisions of sections
767 20-324a to 20-324j, inclusive, AS AMENDED BY THIS
768 ACT, any person aggrieved by any action of a real
769 estate broker or real estate salesperson, duly
770 licensed in this state under section 20-312, AS
771 AMENDED BY THIS ACT, by reason of the embezzlement
772 of money or property, or money or property
773 unlawfully obtained from any person by false
774 pretenses, artifice, trickery or forgery or by
775 reason of any fraud, misrepresentation or deceit
776 by or on the part of any such real estate broker
777 or real estate salesperson or the unlicensed
778 employee of any such real estate broker, may
779 recover, upon approval by the commission of an
780 application brought pursuant to the provisions of
781 section 20-324e, AS AMENDED BY THIS ACT,

782 compensation in an amount not exceeding in the
783 aggregate the sum of twenty-five thousand dollars
784 in connection with any one real estate transaction
785 or claim, regardless of the number of persons
786 aggrieved or parcels of real estate involved in
787 such real estate transaction or claim.

788 Sec. 23. Section 20-324b of the general
789 statutes is repealed and the following is
790 substituted in lieu thereof:

791 Any person who receives a real estate
792 broker's or real estate salesperson's license
793 UNDER THIS CHAPTER, AS AMENDED BY THIS ACT, for
794 the first time shall pay an additional ONE-TIME
795 fee of twenty dollars in addition to all other
796 fees payable, which additional fee shall be
797 credited to the Real Estate Guaranty Fund. [,
798 provided in no case shall any real estate broker
799 or salesperson be required to pay said fee of
800 twenty dollars more than once.]

801 Sec. 24. Section 20-324c of the general
802 statutes is repealed and the following is
803 substituted in lieu thereof:

804 The [Real Estate Commission] COMMISSION shall
805 maintain the Real Estate Guaranty Fund at a level
806 not to exceed five hundred thousand dollars and to
807 this intent moneys received under section 20-324b,
808 AS AMENDED BY THIS ACT, shall be credited to [the
809 guaranty] SAID fund whenever the fund balance is
810 below five hundred thousand dollars. [and any] ANY
811 such moneys may be invested or reinvested in the
812 same manner as funds of the state employees
813 retirement system, and the interest arising from
814 such investments shall be credited to the General
815 Fund. Any moneys received under section 20-324b,
816 AS AMENDED BY THIS ACT, not required to maintain
817 the Real Estate Guaranty Fund balance shall be
818 deposited to the General Fund. All moneys in the
819 [guaranty fund] REAL ESTATE GUARANTY FUND in
820 excess of five hundred thousand dollars, shall be
821 transferred by the STATE Treasurer to the General
822 Fund.

823 Sec. 25. Section 20-324d of the general
824 statutes is repealed and the following is
825 substituted in lieu thereof:

826 No application to recover compensation under
827 sections 20-324a to 20-324j, inclusive, AS AMENDED
828 BY THIS ACT, which might subsequently result in an
829 order for collection from [said guaranty fund] THE

830 REAL ESTATE GUARANTY FUND shall be brought later
831 than two years from the final determination of, or
832 expiration of time for appeal in connection with,
833 any judgment.

834 Sec. 26. Section 20-324e of the general
835 statutes is repealed and the following is
836 substituted in lieu thereof:

837 (a) When any aggrieved person commences any
838 action for a judgment which may result in
839 collection from the Real Estate Guaranty Fund, the
840 aggrieved person shall notify the [Real Estate
841 Commission] COMMISSION in writing to this effect
842 at the time of the commencement of such action.
843 Such written notice shall toll the time for making
844 application to the [Real Estate Commission]
845 COMMISSION pursuant to section 20-324d, AS AMENDED
846 BY THIS ACT. [Said] THE commission shall have the
847 right to enter an appearance, intervene in or
848 defend any such action and may waive the required
849 written notice for good cause shown.

850 (b) When any aggrieved person recovers a
851 valid judgment in the Superior Court against any
852 real estate broker or real estate salesperson or
853 the unlicensed employee of any such real estate
854 broker for loss or damages sustained by reason of
855 the embezzlement of money or property, or money or
856 property unlawfully obtained from any person by
857 false pretenses, artifice, trickery or forgery or
858 by reason of any fraud, misrepresentation or
859 deceit by or on the part of such real estate
860 broker or salesperson or the unlicensed employee
861 of any such real estate broker, such aggrieved
862 person may upon the final determination of, or
863 expiration of time for appeal in connection with,
864 any judgment, apply to the [Real Estate
865 Commission] COMMISSION for an order directing
866 payment out of the Real Estate Guaranty Fund of
867 the amount unpaid upon the judgment, subject to
868 the limitations stated in section 20-324a, AS
869 AMENDED BY THIS ACT, and the limitations specified
870 in this section. The license of any such broker or
871 salesperson shall be automatically revoked upon
872 the entry of such judgment.

873 (c) The [Real Estate Commission] COMMISSION
874 shall proceed upon such application in a summary
875 manner, and, upon the hearing thereof, the
876 aggrieved person shall be required to show: (1) He
877 is not a spouse of the debtor or the personal

878 representative of such spouse; (2) he has complied
879 with all the requirements of this section; (3) he
880 has obtained a judgment as [set out] PROVIDED in
881 subsection (b) of this section, stating the amount
882 thereof and the amount owing thereon at the date
883 of the application; (4) he has caused to be issued
884 a writ of execution upon [said] THE judgment and
885 the officer executing the same has made a return
886 showing that no personal or real property of the
887 judgment debtor liable to be levied upon in
888 satisfaction of the judgment could be found, or
889 that the amount realized on the sale of them or of
890 such of them as were found, under the execution,
891 was insufficient to satisfy the judgment, stating
892 the amount so realized and the balance remaining
893 due on the judgment after application thereon of
894 the amount realized; (5) he has made all
895 reasonable searches and inquiries to ascertain
896 whether the judgment debtor [is possessed of]
897 POSSESSES real or personal property or other
898 assets, liable to be sold or applied in
899 satisfaction of the judgment; (6) that by such
900 search he has discovered no personal or real
901 property or other assets liable to be sold or
902 applied, or that he has discovered certain of
903 them, describing them, owned by the judgment
904 debtor and liable to be so applied, and that he
905 has taken all necessary action and proceedings for
906 the realization thereof, and that the amount
907 thereby realized was insufficient to satisfy the
908 judgment, stating the amount so realized and the
909 balance remaining due on the judgment after
910 application of the amount realized.

911 (d) Whenever the aggrieved person satisfies
912 the [Real Estate Commission] COMMISSION that it is
913 not practicable to comply with one or more of the
914 requirements enumerated in subdivisions (4), (5)
915 and (6) of subsection (c) of this section and that
916 the aggrieved person has taken all reasonable
917 steps to collect the amount of the judgment or the
918 unsatisfied part thereof and has been unable to
919 collect the same, the [Real Estate Commission]
920 COMMISSION may in its discretion [dispense with
921 the necessity for complying with] WAIVE such
922 requirements.

923 (e) The [Real Estate Commission shall make an
924 order requiring] COMMISSION SHALL ORDER payment
925 from the Real Estate Guaranty Fund of [whatever]

926 ANY sum it shall find to be payable upon the
927 claim, pursuant to the provisions of and in
928 accordance with the limitations contained in this
929 section and section 20-324a, AS AMENDED BY THIS
930 ACT, if the commission is satisfied, upon the
931 hearing, of the truth of all matters required to
932 be shown by the aggrieved person by subsection (c)
933 of this section and that the aggrieved person has
934 fully pursued and exhausted all remedies available
935 to him for recovering the amount awarded by the
936 judgment of the court.

937 (f) If the [Real Estate Commission]
938 COMMISSION pays from [said fund] THE REAL ESTATE
939 GUARANTY FUND any amount in settlement of a claim
940 or toward satisfaction of a judgment against a
941 licensed real estate broker or real estate
942 salesperson pursuant to an order under subsection
943 (e) OF THIS SECTION, such broker or salesperson
944 shall not be eligible to receive a new license
945 until he has repaid in full, plus interest at a
946 rate to be determined by the commission and which
947 shall reflect current market rates, the amount
948 paid from [said guaranty] THE fund on his account.
949 A discharge in bankruptcy shall not relieve a
950 person from the penalties and disabilities
951 provided in this subsection.

952 (g) If, at any time, the money deposited in
953 [said guaranty fund] THE REAL ESTATE GUARANTY FUND
954 is insufficient to satisfy any duly authorized
955 claim or portion thereof, the [Real Estate
956 Commission] COMMISSION shall, when sufficient
957 money has been deposited in [said guaranty] THE
958 fund, satisfy such unpaid claims or portions
959 thereof, in the order that such claims or portions
960 thereof were originally filed, plus accumulated
961 interest at the rate of four per cent a year.

962 Sec. 27. Section 20-324f of the general
963 statutes is repealed and the following is
964 substituted in lieu thereof:

965 Any person filing with the [Real Estate
966 Commission] COMMISSION any notice, statement or
967 other document required under the provisions of
968 section 20-324e, AS AMENDED BY THIS ACT, which is
969 false or untrue or contains any material
970 misstatement of fact shall be fined not less than
971 two hundred dollars.

972 Sec. 28. Section 20-324g of the general

973 statutes is repealed and the following is
974 substituted in lieu thereof:

975 When the [Real Estate Commission] COMMISSION
976 receives notice, as provided in section 20-324e,
977 AS AMENDED BY THIS ACT, it may enter an
978 appearance, file an answer, appear at the court
979 hearing, defend the action or take whatever other
980 action [it] THE COMMISSION may deem appropriate on
981 the behalf and in the name of the defendant and
982 take recourse through any appropriate method of
983 review or appeal on behalf and in the name of the
984 defendant.

985 Sec. 29. Section 20-324h of the general
986 statutes is repealed and the following is
987 substituted in lieu thereof:

988 When the [Real Estate Commission] COMMISSION
989 has caused to be paid from [said guaranty fund]
990 THE REAL ESTATE GUARANTY FUND any sum to the
991 judgment creditor, the commission shall be
992 subrogated to all of the rights of the judgment
993 creditor up to the amount paid, and the judgment
994 creditor shall assign all of his right, title and
995 interest in the judgment up to such amount paid to
996 the [Real Estate Commission] COMMISSION, and any
997 amount and interest recovered by the [Real Estate
998 Commission] COMMISSION on the judgment shall be
999 deposited to [said guaranty] THE fund.

1000 Sec. 30. Section 20-324i of the general
1001 statutes is repealed and the following is
1002 substituted in lieu thereof:

1003 The Commissioner of Consumer Protection, with
1004 the advice and assistance of the [Real Estate
1005 Commission, shall have power to] COMMISSION, MAY
1006 adopt regulations, IN ACCORDANCE WITH CHAPTER 54,
1007 to [effect the efficient administration] CARRY OUT
1008 THE PROVISIONS of sections 20-324a to 20-324j,
1009 inclusive, AS AMENDED BY THIS ACT.

1010 Sec. 31. Section 20-324k of the general
1011 statutes is repealed and the following is
1012 substituted in lieu thereof:

1013 (a) Each broker licensed under the provisions
1014 of this chapter, AS AMENDED BY THIS ACT, who in
1015 the course of his real estate business receives,
1016 accepts and holds any moneys on behalf of any
1017 principal, client or other person shall at all
1018 times maintain a separate escrow or trust account,
1019 distinct from his own account, in a bank of his

1020 choice doing business in this state, for the
1021 deposit of all such moneys so received by him.

1022 (b) The [Real Estate Commission] COMMISSION
1023 may examine and audit any escrow or trust account
1024 maintained by any broker in accordance with the
1025 provisions of subsection (a) of this section
1026 whenever [said] THE commission shall deem such
1027 examination and audit necessary.

1028 (c) Any [such] broker who, in the course of
1029 his real estate business and in connection with
1030 any transaction, accepts from any principal,
1031 client or other person any moneys to which he is
1032 not personally and legally entitled, including,
1033 but not limited to, any downpayment, earnest
1034 money, deposit, rental money, rental security
1035 deposit or other money to be held by him in trust,
1036 shall deposit such moneys in his escrow or trust
1037 account within three banking days of the date the
1038 agreement evidencing such transaction is signed by
1039 all necessary parties [thereto] TO SUCH
1040 TRANSACTION, pending final legal disposition of
1041 [the same] SUCH MONEYS in accordance with the
1042 instructions of the person legally entitled
1043 [thereto] TO SUCH MONEYS.

1044 (d) Upon motion, the court may order a party
1045 to an action who is a broker holding funds in
1046 trust in connection with a real estate transaction
1047 to deposit with the court certified funds in an
1048 amount not to exceed the funds held in trust.
1049 Conditioned upon the receipt of [said] SUCH
1050 CERTIFIED funds, the court shall also order the
1051 dismissal of any claim against [said] THE broker
1052 which claim is based solely on [said] THE broker's
1053 role as stakeholder of [said] SUCH funds.

1054 (e) Any broker who wilfully violates any
1055 provision of this section shall be fined not more
1056 than one thousand dollars or imprisoned not more
1057 than six months or both.

1058 Sec. 32. Section 20-325 of the general
1059 statutes is repealed and the following is
1060 substituted in lieu thereof:

1061 Any person who engages in the business of A
1062 real estate broker or real estate salesperson
1063 without obtaining a license as [herein] provided
1064 IN THIS CHAPTER, AS AMENDED BY THIS ACT, shall be
1065 fined not more than one thousand dollars or
1066 imprisoned not more than six months or both, and
1067 shall be ineligible to obtain a license for one

1068 year from the date of conviction of such offense,
1069 except that the [Real Estate Commission]
1070 COMMISSION, in its discretion, may grant a license
1071 to such person within such one-year period upon
1072 application and after a hearing [thereon] ON SUCH
1073 APPLICATION.

1074 Sec. 33. Subsection (b) of section 20-325c of
1075 the general statutes is repealed and the following
1076 is substituted in lieu thereof:

1077 (b) Notwithstanding any provision of the
1078 general statutes to the contrary, no real estate
1079 broker or real estate salesperson, [as defined in
1080 section 20-311, or any] AND NO person affiliated
1081 with such broker or salesperson, who receives a
1082 fee, commission or other valuable consideration
1083 for the sale of residential real property, may
1084 receive a fee, commission or other valuable
1085 consideration for negotiating, soliciting,
1086 arranging, placing or finding a first mortgage
1087 loan for the buyer in connection with the same
1088 sale unless disclosure is made in accordance with
1089 the provisions of subsection (c) of this section.
1090 Any fee, commission or other valuable
1091 consideration received by such broker or
1092 salesperson for negotiating, soliciting,
1093 arranging, placing or finding a first mortgage
1094 loan shall (1) be related to the services actually
1095 performed, as determined by the Commissioner of
1096 Banking by regulations adopted pursuant to chapter
1097 54, [not later than October 1, 1989,] (2) not be
1098 imposed for the referral of the buyer to the
1099 mortgage lender by such broker or salesperson, and
1100 (3) be paid directly to the broker or salesperson
1101 by the buyer rather than from the mortgage loan
1102 proceeds at the time of closing.

1103 Sec. 34. Subsection (d) of section 20-325e of
1104 the general statutes is repealed and the following
1105 is substituted in lieu thereof:

1106 (d) No more than one application under
1107 subsection (a) of this section or motion under
1108 subsection (c) of this section shall be ruled upon
1109 with respect to any single real property claim for
1110 lien, except that [the foregoing] THIS SUBSECTION
1111 shall not preclude an application or motion by a
1112 person not given notice of the prior application
1113 or not a party to the action at the time the prior
1114 motion was ruled upon.

1115 Sec. 35. Subsection (b) of section 20-325h of
1116 the general statutes is repealed and the following
1117 is substituted in lieu thereof:

1118 (b) [For purposes of this section, the term]
1119 AS USED IN THIS SECTION, "confidential
1120 information" [shall mean] MEANS facts concerning a
1121 person's assets, liabilities, income, expenses,
1122 motivations to purchase, rent or sell real
1123 property and previous offers received or made to
1124 purchase or lease real property which are not part
1125 of a public record or file to which access is
1126 authorized pursuant to section 1-19 or otherwise
1127 subject to disclosure [as a result of] UNDER any
1128 other PROVISION OF THE general [statute] STATUTES
1129 or [regulation] ANY REGULATION of Connecticut
1130 STATE AGENCIES.

1131 Sec. 36. Section 20-326 of the general
1132 statutes is repealed and the following is
1133 substituted in lieu thereof:

1134 The [Real Estate Commission] COMMISSION shall
1135 submit to the Governor, as provided in section
1136 4-60, a report of its official acts under this
1137 chapter, AS AMENDED BY THIS ACT. The commission
1138 shall keep a record of proceedings and orders
1139 pertaining to the matters under its jurisdiction
1140 and of licenses granted, refused, suspended or
1141 revoked by [it] THE COMMISSION and of all reports
1142 sent to its office. The commission shall furnish
1143 without charge, for official use only, certified
1144 copies of licenses and documents relating
1145 [thereto] TO SUCH LICENSES, to officials of the
1146 state or any municipality [therein] IN THIS STATE,
1147 to officials of any other state and to any court
1148 in this state. Any certified copy of any document
1149 or record of the commission, attested as a true
1150 copy by the chairman of the commission, shall be
1151 competent evidence in any court of this state of
1152 the facts [therein] contained IN SUCH COPY.

1153 Sec. 37. Section 20-327a of the general
1154 statutes is repealed and the following is
1155 substituted in lieu thereof:

1156 The Department of Consumer Protection, at the
1157 request of the [Real Estate Commission]
1158 COMMISSION, may periodically compile and publish a
1159 bulletin containing information and material
1160 relating to the commission, its functions and
1161 licenses and other information and material
1162 relating to the real estate industry [which might]

1163 THAT MAY be of help and interest to licensees in
1164 their service of the public. The commission may
1165 also request the department to publish such
1166 information and material in any established
1167 periodical published in the state if, in the
1168 opinion of the commission, such form of
1169 publication would ensure the widest dissemination
1170 of such information and material to licensees and
1171 the public.

1172 Sec. 38. Subsections (a) and (b) of section
1173 20-327b of the general statutes are repealed and
1174 the following is substituted in lieu thereof:

1175 (a) Except as otherwise provided IN THIS
1176 SECTION, each person who offers residential
1177 property in the state for sale, exchange or for
1178 lease with option to buy, shall provide a written
1179 residential condition report to the prospective
1180 purchaser at any time prior to the prospective
1181 purchaser's execution of any binder, contract to
1182 purchase, option, or lease containing a purchase
1183 option. A photocopy, duplicate original, facsimile
1184 transmission, or other exact reproduction or
1185 duplicate of the written residential condition
1186 report containing the prospective purchaser's
1187 written receipt shall be attached to any written
1188 offer, binder or contract to purchase. A
1189 photocopy, duplicate original, facsimile
1190 transmission or other exact reproduction or
1191 duplicate of the written residential condition
1192 report containing the signatures of both seller
1193 and purchaser, shall be attached to any agreement
1194 to purchase the property.

1195 (b) The following shall be exempt from the
1196 provisions of this section: (1) Any transfer from
1197 one or more [coowners] CO-OWNERS solely to one or
1198 more of his [coowners] CO-OWNERS; (2) transfers
1199 made to the spouse, mother, father, brother,
1200 sister, child, grandparent or grandchild of the
1201 transferor where no consideration is paid; (3)
1202 transfers pursuant to an order of the court; (4)
1203 transfers of newly-constructed residential real
1204 property for which an implied warranty is provided
1205 under chapter 827; (5) transfers made by
1206 executors, administrators, trustees or
1207 conservators; (6) transfers by the federal
1208 government, any political subdivision thereof or
1209 any corporation, institution or quasi-governmental
1210 agency chartered by the federal government; (7)

1211 transfers by deed in lieu of foreclosure; (8)
1212 transfers by the state of Connecticut or any
1213 political subdivision thereof; (9) transfers of
1214 property which was the subject of a contract or
1215 option entered into prior to January 1, 1996; and
1216 (10) any transfer of property acquired by a
1217 judgment of strict foreclosure or by foreclosure
1218 by sale or by a deed in lieu of foreclosure.

1219 Sec. 39. Section 20-328 of the general
1220 statutes is repealed and the following is
1221 substituted in lieu thereof:

1222 The Commissioner of Consumer Protection, with
1223 advice and assistance from the [Real Estate
1224 Commission] COMMISSION, may [make] ADOPT such
1225 reasonable regulations, IN ACCORDANCE WITH CHAPTER
1226 54, as the commissioner deems necessary relating
1227 to the form and manner of filing applications for
1228 licenses UNDER THIS CHAPTER, AS AMENDED BY THIS
1229 ACT, and the manner in which licensed real estate
1230 brokers and [salesmen] LICENSED REAL ESTATE
1231 SALESPERSONS shall conduct the real estate
1232 business.

1233 Sec. 40. Section 20-329 of the general
1234 statutes is repealed and the following is
1235 substituted in lieu thereof:

1236 The provisions of this chapter, AS AMENDED BY
1237 THIS ACT, concerning the licensure of real estate
1238 brokers and real estate salespersons shall not
1239 apply to: [any] (1) ANY person who as owner or
1240 lessor performs any of the acts enumerated in
1241 section 20-311, AS AMENDED BY THIS ACT, with
1242 reference to property owned, leased or sought to
1243 be acquired or leased by him, or to his regular
1244 employees who are employed as on-site residential
1245 superintendents or custodians, with respect to the
1246 property so owned or leased or sought to be
1247 acquired or leased when such acts are performed in
1248 the regular course of, or as an incident to, the
1249 management of such property and the investment
1250 therein; [, or to] (2) any person acting as
1251 attorney-in-fact under a duly executed power of
1252 attorney from the owner authorizing the final
1253 consummation by performance of any contract for
1254 the sale, leasing or exchange of real estate, or
1255 to service rendered by any attorney-at-law in the
1256 performance of his duties as such attorney-at-law;
1257 [or to] (3) a receiver, trustee in bankruptcy,
1258 administrator, executor or other fiduciary, while

1259 acting as such, or any person selling real estate
1260 under order of any court, or to a trustee acting
1261 under a trust agreement, deed of trust or will, or
1262 the regular salaried employees thereof; [or to]
1263 (4) witnesses in court as to the values of real
1264 estate; [, or to] (5) persons in the employ of the
1265 federal or state government or any political
1266 subdivision thereof while acting in the course of
1267 such employment; [or to] (6) any employee of any
1268 nonprofit housing corporation which [(1)] (A) has
1269 been certified as a tax-exempt organization under
1270 Section 501(c)(3) of the Internal Revenue Code of
1271 1986, or any subsequent corresponding internal
1272 revenue code of the United States, as from time to
1273 time amended, and manages a housing project, or
1274 [(2)] (B) manages a housing project assisted in
1275 whole or in part by the federal government
1276 pursuant to Section 8 of The United States Housing
1277 Act of 1937, as FROM TIME TO TIME amended, while
1278 such employee is performing duties in the regular
1279 course of, or incidental to, the management of
1280 such housing project; [or to] (7) any person
1281 licensed as a broker in accordance with sections
1282 36a-510 to 36a-524, inclusive, AS AMENDED BY THIS
1283 ACT, who engages solely in the activities
1284 described in subsection (6) of section 36a-510;
1285 [or to] (8) any person licensed to maintain or
1286 operate a mobile manufactured home park under
1287 chapter 412 who performs any of the acts
1288 enumerated in section 20-311, AS AMENDED BY THIS
1289 ACT, with reference to lots or mobile manufactured
1290 homes within the park or to his employees with
1291 respect to lots or mobile manufactured homes
1292 within [said] SUCH park when such acts are
1293 performed in the regular course of, or incidental
1294 to, the management of such property and the
1295 investment therein; or [to] (9) persons licensed
1296 as sellers of mobile manufactured homes under
1297 section 21-67.

1298 Sec. 41. Section 20-329a of the general
1299 statutes is repealed and the following is
1300 substituted in lieu thereof:

1301 [The terms] AS used in sections 20-329a to
1302 [20-329m, inclusive, shall be construed as
1303 follows] 20-329n, INCLUSIVE, AS AMENDED BY THIS
1304 ACT:

1305 (1) "Disposition" or "dispose of" means any
1306 sale, exchange, lease, assignment, award by

1307 lottery or other transaction designed to convey an
1308 interest in a subdivision or parcel, lot, or unit
1309 [thereof] IN A SUBDIVISION when undertaken for
1310 gain or profit;

1311 (2) "Offer" means every inducement,
1312 solicitation or attempt to bring about a
1313 disposition;

1314 (3) "Person" means an individual, firm,
1315 company, association, corporation, limited
1316 liability company, government or governmental
1317 subdivision or agency, business trust, estate,
1318 trust, partnership, unincorporated association or
1319 organization, two or more of any of the foregoing
1320 having a joint or common interest, or any other
1321 legal or commercial entity;

1322 (4) "Broker" means a resident real estate
1323 broker duly licensed [in this state] UNDER THIS
1324 CHAPTER, AS AMENDED BY THIS ACT;

1325 (5) "Salesperson" means any person duly
1326 licensed [in this state] as a real estate
1327 salesperson UNDER THIS CHAPTER, AS AMENDED BY THIS
1328 ACT;

1329 (6) "Purchaser" means a person who acquires
1330 an interest in any lot, parcel or unit in a
1331 subdivision;

1332 (7) "Subdivision" means any improved or
1333 unimproved land or tract of land located outside
1334 this state which is divided or proposed to be
1335 divided into five or more lots, parcels, units,
1336 including time-share units, or interests for the
1337 purpose of disposition, at any time as part of a
1338 common promotional plan. Any land which is under
1339 common ownership or which is controlled by a
1340 single developer or a group of developers acting
1341 in concert, is contiguous in area, and is
1342 designated or advertised as a common unit or known
1343 by a common name, shall be presumed, without
1344 regard to the number of lots, parcels, units or
1345 interests covered by each individual offering, to
1346 be part of a common promotional plan; AND

1347 [(8) "The commission" means the Connecticut
1348 Real Estate Commission;]

1349 [(9)] (8) "Advertising" means publishing or
1350 causing to be published: [(a)] (A) By means of any
1351 newspaper or periodical; [(b)] (B) by means of any
1352 radio or television broadcast; [(c)] (C) by means
1353 of any written or printed or photographic matter
1354 produced by any duplicating process producing ten

1355 copies or more, any information offering for sale
1356 or for the purpose of causing or inducing any
1357 other person to purchase or to acquire an interest
1358 in the title to subdivided lands, including the
1359 land sales contract to be used and any photographs
1360 or drawings or artist's representations of
1361 physical conditions or facilities on the property
1362 existing or to exist; [(d)] OR (D) by means of any
1363 material used in connection with the disposition
1364 or offer of subdivided lands by radio, television,
1365 telephone or any other electronic means. [,
1366 provided, however, that "advertising" shall not be
1367 deemed to] "ADVERTISING" DOES NOT include:
1368 Stockholder communications such as annual reports
1369 and interim financial reports, proxy materials,
1370 registration statements, securities prospectuses,
1371 applications for listing securities on stock
1372 exchanges, and the like; prospectuses, property
1373 reports, offering statements or other documents
1374 required to be delivered to prospective purchasers
1375 by an agency of any other state or the federal
1376 government; all communications addressed to and
1377 relating to the account of any persons who have
1378 previously executed a contract for the purchase of
1379 the subdivider's lands except where directed to
1380 the sale of additional lands; OR press releases or
1381 other communications delivered to newspapers or
1382 other periodicals for general information or
1383 public relations purposes, provided no charge is
1384 made by such newspapers or other periodicals for
1385 the publication or use of any part of such
1386 communications.

1387 Sec. 42. Section 20-329b of the general
1388 statutes is repealed and the following is
1389 substituted in lieu thereof:

1390 (a) Unless the method of disposition is
1391 adopted for the purpose of the evasion of the
1392 provisions of sections 20-329a to 20-329m,
1393 inclusive, AS AMENDED BY THIS ACT, or the
1394 provisions of the federal Interstate Land Sales
1395 Full Disclosure Act, said sections shall not apply
1396 to: [the] (1) THE making of any offer or
1397 disposition of any subdivision or lot, parcel,
1398 unit or interest [therein: (1) By] IN ANY
1399 SUBDIVISION (A) BY a purchaser of any subdivision
1400 lot, parcel or unit [thereof] for his own account
1401 in a single or isolated transaction, [; (2)] (B)
1402 to any person who is engaged in the business of

1403 the construction of residential, commercial or
1404 industrial buildings, other than any lot, parcel,
1405 unit or interest in any subdivision, [as defined
1406 by subdivision (7) of section 20-329a,] for
1407 disposition, [; (3)] (C) pursuant to the order of
1408 any court in this state, [; (4)] OR (D) by any
1409 government or government agency; [(5) or to] (2)
1410 any offer or disposition of any evidence of
1411 indebtedness secured by way of any mortgage or
1412 deed of trust of real estate; [(6) or to] (3)
1413 securities or units of interest issued by an
1414 investment trust regulated under the laws of this
1415 state; [(7) to] (4) cemetery lots; [(8) to] OR (5)
1416 the leasing of apartments, offices [,] OR stores,
1417 or the leasing of similar space within any
1418 apartment building, commercial building or
1419 industrial building.

1420 (b) The commission may from time to time,
1421 pursuant to [rules and regulations issued]
1422 REGULATIONS ADOPTED by the Commissioner of
1423 Consumer Protection PURSUANT TO CHAPTER 54, with
1424 the advice and assistance of the commission,
1425 exempt ANY SUBDIVISION from any of the provisions
1426 of sections 20-329a to 20-329m, inclusive, [any
1427 subdivision, if it] AS AMENDED BY THIS ACT, IF THE
1428 COMMISSION finds that the enforcement of said
1429 sections, with respect to such subdivision or
1430 lots, parcels, units or interests IN SUCH
1431 SUBDIVISION, is not necessary in the public
1432 interest and for the protection of purchasers by
1433 reason of the small amount involved or the limited
1434 character of the offering, or because such
1435 property has been registered and approved pursuant
1436 to the laws of any other state.

1437 (c) Any subdivision which has been registered
1438 under the federal Interstate Land Sales Full
1439 Disclosure Act shall be exempt from the provisions
1440 of section 20-329d, except for the narrative
1441 description of the promotional plan for the
1442 disposition of the subdivided lands and copies of
1443 all advertising material which has been prepared
1444 for public distribution by any means of
1445 communications, required under subdivision (2) of
1446 said section, upon THE filing with the commission
1447 OF a copy of an effective statement of record
1448 filed with the Secretary of Housing and Urban
1449 Development together with a filing fee of three
1450 hundred dollars in respect of each subdivision

1451 covered by such effective statement of record. The
1452 fee for filing a consolidation or an additional
1453 number of lots not included in the initial filing
1454 shall be three hundred dollars.

1455 Sec. 43. Section 20-329c of the general
1456 statutes is repealed and the following is
1457 substituted in lieu thereof:

1458 Except as provided in section 20-329b, AS
1459 AMENDED BY THIS ACT, no subdivision or lot,
1460 parcel, unit or interest in any subdivision shall
1461 in any way be offered or disposed of in this state
1462 by any person or broker until: (1) [he] SUCH
1463 PERSON OR BROKER has appointed in writing the
1464 Secretary of the State and his successors in
1465 office to be [his or its] SUCH PERSON'S OR
1466 BROKER'S attorney, upon whom all process, in any
1467 action or proceeding against [him or it] SUCH
1468 PERSON OR BROKER, may be served. [, and in such
1469 writing such] SUCH person or broker shall agree IN
1470 SUCH WRITTEN APPOINTMENT that any process against
1471 [him or it] SUCH PERSON OR BROKER which is served
1472 on [said] THE Secretary of the State shall be of
1473 the same legal force and validity as if served on
1474 such person or broker and that such appointment
1475 shall continue in force as long as any liability
1476 remains outstanding against such person or broker
1477 in this state. Such written appointment shall be
1478 acknowledged before [some] AN officer authorized
1479 to take acknowledgments of deeds and shall be
1480 filed in the office of [said secretary] THE
1481 SECRETARY OF THE STATE, and copies certified by
1482 [him] THE SECRETARY OF THE STATE shall be
1483 sufficient evidence of such appointment and
1484 agreement; [,] (2) [he] SUCH PERSON OR BROKER has
1485 posted with the commission such bond, in favor of
1486 the state, as the commission may require with
1487 surety in such amount as the commission may in its
1488 discretion determine. No bond which may be
1489 required under sections 20-329a to 20-329m,
1490 inclusive, AS AMENDED BY THIS ACT, shall be
1491 accepted for filing unless it is with a surety
1492 company authorized to do business in this state.
1493 Any person aggrieved by an act of the principal
1494 named in such bond in violation of the provisions
1495 of this chapter, AS AMENDED BY THIS ACT, may
1496 proceed on such bond against the principal or
1497 surety therein, or both, to recover damages; [,]
1498 and (3) until such person or broker has received a

1499 license under section 20-329f, AS AMENDED BY THIS
1500 ACT. Any person or broker violating the provisions
1501 of this section shall be fined not less than one
1502 thousand dollars and not more than five thousand
1503 dollars for each offense.

1504 Sec. 44. Section 20-329e of the general
1505 statutes is repealed and the following is
1506 substituted in lieu thereof:

1507 Before the commission [shall issue] ISSUES
1508 any license under sections 20-329a to 20-329m,
1509 inclusive, AS AMENDED BY THIS ACT, to any person
1510 or broker, the Department of Consumer Protection
1511 shall fully investigate all information placed
1512 before [it] THE DEPARTMENT as may be required
1513 pursuant to sections 20-329a to 20-329m,
1514 inclusive, AS AMENDED BY THIS ACT, and [in
1515 addition it] may carry out a physical examination,
1516 investigation or inspection of any subdivision
1517 which is the subject of the application. All
1518 reasonable expenses incurred in carrying out such
1519 examination, investigation or inspection shall be
1520 paid by the applicant and no SUCH license shall be
1521 issued until such expenses have been fully paid.

1522 Sec. 45. Subsection (a) of section 20-329f of
1523 the general statutes is repealed and the following
1524 is substituted in lieu thereof:

1525 (a) The commission shall, upon completion of
1526 the investigation and inspection AS PROVIDED IN
1527 SUBSECTION 20-329e, AS AMENDED BY THIS ACT, but,
1528 in the absence of any agreement to the contrary
1529 between the applicant and the commission, [in any
1530 case] not later than three months from the receipt
1531 of the completed license application, or receipt
1532 of [such] AN effective statement of record filed
1533 with the Secretary of Housing and Urban
1534 Development and filed with the commission pursuant
1535 to subsection (c) of section 20-329b, AS AMENDED
1536 BY THIS ACT, (1) approve or disapprove the
1537 prospectus, property report or offering statement
1538 submitted under subsection (c) of section 20-329b,
1539 AS AMENDED BY THIS ACT, or section 20-329d, as the
1540 case may be, and [shall,] (2) if satisfied, issue
1541 to the applicant upon payment to the commission of
1542 a fee computed as provided in subsection (b), a
1543 license to offer and dispose of [,] in this state
1544 [,] the subdivision or parcels, units or other
1545 interests in any subdivision THAT IS the subject
1546 of the application or such effective statement of

1547 record. Such license shall be valid for one year
1548 and may be renewed annually upon payment to the
1549 commission of a fee, computed as provided in
1550 subsection (b), unless there is a material change
1551 affecting such subdivision or lot, parcels, units
1552 or other interest in any subdivision or the offer
1553 or disposition thereof, in which case all new
1554 facts shall be reported to the commission
1555 immediately. Upon receipt of such report or in the
1556 event that any such material change is discovered
1557 by or comes to the attention of the commission
1558 through other sources, the commission may, after
1559 hearing pursuant to section 20-321, AS AMENDED BY
1560 THIS ACT, take such action as [it] THE COMMISSION
1561 considers necessary, including the suspension or
1562 revocation of such license if justified.

1563 Sec. 46. Section 20-329h of the general
1564 statutes is repealed and the following is
1565 substituted in lieu thereof:

1566 (a) No subdivision or lot, parcel, unit or
1567 interest in any subdivision shall be disposed of
1568 except through a broker, provided nothing [herein]
1569 IN THIS SUBSECTION shall be deemed to prohibit any
1570 such broker from employing any salesperson, for
1571 the specific purpose of offering or disposing of,
1572 on behalf of such broker and under contract to
1573 [him] SUCH BROKER, any lot, parcel, unit or
1574 interest in any subdivision. Prior to any offering
1575 or disposition, pursuant to any license granted
1576 under sections 20-329a to 20-329m, inclusive, AS
1577 AMENDED BY THIS ACT, the name of such broker shall
1578 be placed on file with the commission.

1579 (b) A clearly identified copy of the
1580 prospectus, property report or offering statement
1581 shall be given to each purchaser by the broker or
1582 salesperson prior to the execution of any contract
1583 for the disposition of any such property. The
1584 broker or salesperson shall obtain from the
1585 purchaser a signed receipt for a copy of such
1586 prospectus, property report or offering statement
1587 and, if a contract for disposition shall be
1588 entered into, the receipt shall be kept in the
1589 broker's files for a period of seven years and
1590 shall be subject to inspection by the commission.
1591 Upon termination of such broker or salesperson's
1592 employment with the developer, all such records
1593 shall be turned over to the developer within
1594 thirty days and shall be retained by such

1595 developer for the duration of the seven-year
1596 period.

1597 (c) Any contract or agreement for the
1598 disposition of any subdivision or any lot, parcel,
1599 unit or interest in any subdivision, not exempted
1600 under the provisions of section 20-329b, AS
1601 AMENDED BY THIS ACT, where the prospectus,
1602 property report or offering statement has not been
1603 given to the purchaser more than seventy-two hours
1604 in advance of his signing such contract or
1605 agreement, may be revoked by the purchaser within
1606 seventy-two hours after [he] THE PURCHASER signed
1607 [the same] THE CONTRACT OR AGREEMENT or after
1608 receipt by [him] THE PURCHASER of such prospectus,
1609 property report or offering statement, whichever
1610 is the later, and the contract or agreement shall
1611 so provide, except that the contract or agreement
1612 may stipulate that [the foregoing] SUCH revocation
1613 authority shall not apply in the case of a
1614 purchaser who (1) has received the prospectus,
1615 property report or offering statement and
1616 inspected the subdivision in advance of signing
1617 the contract or agreement, and (2) acknowledges by
1618 his signature that [he] THE PURCHASER has made
1619 such inspection and has read and understood the
1620 prospectus, property report or offering statement.
1621 Any such revocation shall be in writing in A form
1622 prescribed by the commission and shall be
1623 communicated to the broker within the time
1624 [limited by this section and all] PERIOD SPECIFIED
1625 IN THIS SUBSECTION. ALL moneys paid by the
1626 purchaser under such revoked contract or agreement
1627 shall be returned [to him] immediately TO THE
1628 PURCHASER by the broker [,] without any
1629 deductions.

1630 Sec. 47. Section 20-329i of the general
1631 statutes is repealed and the following is
1632 substituted in lieu thereof:

1633 Any broker or [real estate] salesperson
1634 [violating] WHO VIOLATES any provision of section
1635 20-329a to 20-329m, inclusive, AS AMENDED BY THIS
1636 ACT, shall, in addition to any other penalty
1637 imposed by said sections, and subject to the
1638 provisions of section 20-321, AS AMENDED BY THIS
1639 ACT, have his real estate broker's or REAL ESTATE
1640 salesperson's license suspended or revoked by the
1641 commission for such time as in the circumstances
1642 [it] THE COMMISSION considers justified.

1643 Sec. 48. Section 20-329j of the general
1644 statutes is repealed and the following is
1645 substituted in lieu thereof:

1646 No member of the commission or any
1647 association, firm or corporation with which a
1648 member is associated shall act as a broker of a
1649 subdivision [,] OR A lot, parcel, unit or interest
1650 [therein] IN A SUBDIVISION or offer or dispose of
1651 a subdivision [,] OR A lot, parcel, unit or
1652 interest [therein] IN A SUBDIVISION THAT IS
1653 required to be approved pursuant to section
1654 20-329d.

1655 Sec. 49. Section 20-329m of the general
1656 statutes is repealed and the following is
1657 substituted in lieu thereof:

1658 The Commissioner of Consumer Protection, with
1659 the advice and assistance of the commission, may
1660 from time to time adopt such regulations, IN
1661 ACCORDANCE WITH CHAPTER 54, as the commissioner
1662 [shall deem] DEEMS necessary [for the carrying] TO
1663 CARRY out and [enforcement of] ENFORCE the
1664 provisions of sections 20-329a to 20-329n,
1665 inclusive, AS AMENDED BY THIS ACT, in the
1666 interests of the public.

1667 Sec. 50. Section 20-329n of the general
1668 statutes is repealed and the following is
1669 substituted in lieu thereof:

1670 All moneys paid or advanced by a purchaser or
1671 lessee or prospective purchaser or prospective
1672 lessee in respect of any lot, parcel, unit or
1673 interest in any subdivision, the disposition of
1674 which is controlled by sections 20-329a, 20-329b,
1675 20-329d, 20-329e, 20-329f, 20-329h and 20-329i, AS
1676 AMENDED BY THIS ACT, or such portion [thereof] OF
1677 SUCH MONEYS as the commission may determine is
1678 sufficient for the protection of the interests of
1679 such purchaser or lessee shall be deposited by the
1680 seller or lessor in an escrow account, approved by
1681 the commission, in a bank doing business in this
1682 state. Such money shall remain in such escrow
1683 account until [(a)] (1) a proper and valid release
1684 is obtained [therefor or (b)] FOR SUCH MONEY, (2)
1685 the owner or subdivider or the purchaser or lessee
1686 has defaulted under their contract for sale or
1687 lease and the commission or [the] A court has made
1688 a determination as to the disposition of such
1689 money, or [(c)] (3) the owner or subdivider or the

1690 seller or lessor orders the return of such money
1691 to such purchaser or lessee.

1692 Sec. 51. Section 20-329o of the general
1693 statutes is repealed and the following is
1694 substituted in lieu thereof:

1695 (a) AS USED IN SECTIONS 20-329o TO 20-329bb,
1696 INCLUSIVE, AS AMENDED BY THIS ACT:

1697 (1) [The term "real property securities
1698 dealer" as used in sections 20-329o to 20-329bb,
1699 inclusive,] "REAL PROPERTY SECURITIES DEALER"
1700 means any person, acting as principal or agent,
1701 who engages in the business of [(a)] (A) selling
1702 real property securities [as defined by this
1703 section,] to the public, or [(b)] (B) offering to
1704 accept or accepting funds for continual
1705 reinvestment in real property securities, or for
1706 placement in an account, plan or program whereby
1707 the dealer implies that a return will be derived
1708 from a specific real property sales contract or
1709 promissory note secured directly or collaterally
1710 by a lien on real property which is not
1711 specifically stated to be based upon the
1712 contractual payments thereon.

1713 (2) [The term "real property security" as
1714 used in said sections means: (a) An] "REAL
1715 PROPERTY SECURITY" MEANS (A) AN investment
1716 contract made in connection with the sale of a
1717 single promissory note secured directly or
1718 collaterally by a lien on real property or a
1719 single real property sales contract wherein the
1720 real property securities dealer or his principal
1721 agrees to do or implies that [he] SUCH DEALER OR
1722 PRINCIPAL will do any of the following: [(1)] (i)
1723 Guarantee the note or contract against loss at any
1724 time, [or (2)] (ii) guarantee that payments of
1725 principal or interest will be paid in conformity
1726 with the terms of the note or contract, [or (3)]
1727 (iii) assume any payments necessary to protect the
1728 security of the note or contract, [or (4)] (iv)
1729 accept, from time to time, partial payments toward
1730 the purchase of the note or contract, [or (5)] (v)
1731 guarantee a specific yield or return on the note
1732 or contract, [or (6)] (vi) pay with his own funds
1733 any interest or premium for a period prior to
1734 actual purchase and delivery of the note or
1735 contract, [or (7)] (vii) pay with his own funds
1736 any money after the note or contract falls into
1737 arrears, or [(8)] (viii) repurchase the note or

1738 contract; [(b)] (B) one of a series of promotional
1739 notes secured by liens on separate parcels of real
1740 property in one subdivision or in contiguous
1741 subdivisions; [(c)] OR (C) one of a series of real
1742 property sales contracts pertaining to separate
1743 parcels of real property in one subdivision or in
1744 contiguous subdivisions, all of which are executed
1745 by one person or persons associated together as
1746 owners. As used in this [subsection, the term]
1747 SUBDIVISION, "real property sales contract" does
1748 not include a contract executed more than three
1749 years prior to being offered for sale. Performance
1750 of services in connection with loans or promissory
1751 notes secured directly or collaterally by a lien
1752 on real property or a real property sales
1753 contract, as agent for and at the direction of the
1754 lender, borrower, or purchaser, including, but not
1755 limited to, the payment of taxes, insurance
1756 premiums or costs of foreclosure, if all such
1757 costs, excluding routine office expenses, of such
1758 services are paid by or payable by borrower,
1759 lender or purchaser shall not be construed to be
1760 an investment contract [as defined in subdivision
1761 (a) of subsection (2) of this section] UNDER
1762 SUBPARAGRAPH (A) OF THIS SUBDIVISION. As used in
1763 this [section] SUBDIVISION, "promotional note"
1764 means a promissory note secured by a trust deed
1765 executed on unimproved real property, or executed
1766 after construction of an improvement of the
1767 property but before the first sale of the property
1768 as so improved, or executed as a means of
1769 financing the first purchase of the property as so
1770 improved, and which is subordinate or which by its
1771 terms may become subordinate to any other trust
1772 deed on the property, [; provided that the term
1773 "promotional note"] BUT does not include [(i)] a
1774 note which was executed in excess of three years
1775 prior to being offered for sale or [(ii)] a note
1776 secured by a first trust deed on real property in
1777 a subdivision, which evidences a bona fide loan
1778 made in connection with the financing of the usual
1779 costs of the development of a residential,
1780 commercial, or industrial building or buildings on
1781 the property under a written agreement providing
1782 for the disbursement of the loan funds as costs
1783 are incurred or in relation to the progress of the
1784 work and providing for title insurance insuring
1785 the priority of the security as against mechanic's

1786 liens or for the final disbursement of at least
1787 ten per cent of the loan funds after the
1788 expiration of the period for the filing of
1789 mechanic's liens. [The term real property
1790 security] "REAL PROPERTY SECURITY" does not
1791 include any bond, [or] debenture or note which is
1792 one of a series of notes of equal priority secured
1793 by an interest in the same real property.

1794 (3) [As used in said sections "sale"] "SALE"
1795 or "sell" includes every issuance, creation for
1796 resale, disposition or attempt to dispose of a
1797 real property security for value and includes all
1798 of the following, whether done directly or by
1799 circular letter, advertisement, radio or
1800 television broadcast or otherwise: (A) An offer to
1801 sell, (B) an attempt to sell, (C) a solicitation
1802 of a sale, (D) a contract of sale or (E) an
1803 exchange.

1804 [(4)] (b) The sale to pension, retirement or
1805 similar trust funds, to corporations, to any
1806 [state] bank and trust company, savings bank,
1807 savings and loan association, credit union or
1808 national banking association, to real estate
1809 brokers [,] or to attorneys shall not be deemed a
1810 sale to the public for the purpose of sections
1811 20-329o to 20-329bb, inclusive, AS AMENDED BY THIS
1812 ACT.

1813 Sec. 52. Section 20-329p of the general
1814 statutes is repealed and the following is
1815 substituted in lieu thereof:

1816 No person shall act as a real property
1817 securities dealer in this state without first
1818 having obtained a real estate brokers license
1819 under this chapter, AS AMENDED BY THIS ACT, and
1820 having an endorsement attached [thereto] TO SUCH
1821 LICENSE, in such form as may be prescribed by the
1822 [Real Estate Commission] COMMISSION, stating that
1823 the licensee is entitled to deal in real property
1824 securities. Application for such endorsement shall
1825 be made in writing to [said] THE commission in
1826 such form as [it] THE COMMISSION may prescribe.

1827 Sec. 53. Subsection (b) of section 20-329q of
1828 the general statutes is repealed and the following
1829 is substituted in lieu thereof:

1830 (b) The statement required by subsection (a)
1831 of this section shall be in a form prescribed and
1832 approved by the [Real Estate Commission]

1833 COMMISSION and shall include, but not be limited
1834 to, the following information:

1835 (1) [Legal] THE LEGAL description or address
1836 of the property subject to the lien securing the
1837 note or contract being made or sold;

1838 (2) The name and address of the fee owner of
1839 the property subject to the lien securing the note
1840 or contract being made or sold;

1841 (3) Available information relative to the
1842 ability of the person liable on the obligation to
1843 meet [his] SUCH PERSON'S contractual payments;

1844 (4) Any improvements on the property or the
1845 absence [thereof] OF SUCH IMPROVEMENTS;

1846 (5) Any streets, sewers, water mains, curbs
1847 and gutters on or adjacent to the property or the
1848 absence thereof;

1849 (6) Terms and conditions of the contract or
1850 note being made or sold, including the principal
1851 balance owing thereon, and the status of principal
1852 and interest payments thereon;

1853 (7) A statement of the approximate balloon
1854 payment on the note or contract being made or
1855 sold, WHICH shall appear prominently in words and
1856 figures;

1857 (8) [Insofar as it is] IF available, the
1858 terms and conditions of all prior recorded
1859 encumbrances which constitute liens upon the
1860 property, the principal balance of [said] SUCH
1861 encumbrances, and the status of principal and
1862 interest payments thereon;

1863 (9) Amounts and terms of tax liens and
1864 assessments, [insofar as they are] IF available;

1865 (10) A written statement of the real property
1866 securities dealer's considered opinion of the
1867 current fair market value of the property and of
1868 the equity [therein] IN THE PROPERTY securing the
1869 note or contract or that the purchaser will obtain
1870 his own appraisal [thereof] OF SUCH PROPERTY;

1871 (11) Whether the real property securities
1872 dealer is acting as a principal or as an agent;

1873 (12) A statement that the transaction is in
1874 compliance with the provisions of sections 20-329o
1875 to 20-329bb, inclusive, AS AMENDED BY THIS ACT;
1876 AND

1877 (13) Such other information as the
1878 Commissioner of Consumer Protection, with the
1879 advice and assistance of the [Real Estate
1880 Commission] COMMISSION, may require [from time to

1881 time] by regulation ADOPTED IN ACCORDANCE WITH
1882 CHAPTER 54.

1883 Sec. 54. Section 20-329r of the general
1884 statutes is repealed and the following is
1885 substituted in lieu thereof:

1886 An appraisal of each parcel of real property
1887 which relates to a transaction subject to the
1888 provisions of section 20-329o to 20-329bb,
1889 inclusive, AS AMENDED BY THIS ACT, shall be made
1890 by the real property securities dealer or by an
1891 independent appraiser unless the purchaser of the
1892 obligation to which the parcel relates indicates
1893 [under subdivision (j) of] ON the form required by
1894 subsection (b) of section 20-329q, AS AMENDED BY
1895 THIS ACT, PURSUANT TO SUBDIVISION (10) OF SAID
1896 SUBSECTION, that [he] THE PURCHASER will obtain
1897 his own appraisal. An appraisal by the real
1898 property securities dealer or his agent made
1899 pursuant to this section shall be kept on file for
1900 four years.

1901 Sec. 55. Section 20-329s of the general
1902 statutes is repealed and the following is
1903 substituted in lieu thereof:

1904 Every real property securities dealer shall
1905 file with the [Real Estate Commission] COMMISSION,
1906 ten days prior to use, true copies of all material
1907 which pertains to activities subject to sections
1908 20-329o to 20-329bb, inclusive, AS AMENDED BY THIS
1909 ACT. [Said] THE commission shall approve or
1910 disapprove such material within ten days of
1911 receiving [same] SUCH MATERIAL. If [said] THE
1912 commission fails to give notice to the real
1913 property securities dealer of its disapproval of
1914 any such material within [said period of] ten days
1915 [it] OF RECEIVING SUCH MATERIAL, THE COMMISSION
1916 shall be deemed to have approved [same] SUCH
1917 MATERIAL. No real property securities dealer shall
1918 use any such material in any way after [said] THE
1919 commission gives notice in writing that such
1920 material contains any statement that is false or
1921 misleading or omits to state material information
1922 that is necessary to make [the] ANY statement
1923 [therein] IN SUCH MATERIAL complete and accurate.

1924 Sec. 56. Section 20-329t of the general
1925 statutes is repealed and the following is
1926 substituted in lieu thereof:

1927 (a) Every real property securities dealer
1928 shall file with the [Real Estate Commission]

1929 COMMISSION, annually, a report containing
1930 financial statements in accordance with generally
1931 accepted accounting principles, accompanied by an
1932 opinion thereon by a certified public accountant
1933 based upon an audit of the real property
1934 securities dealer's business subject to sections
1935 20-329o to 20-329bb, inclusive, AS AMENDED BY THIS
1936 ACT, which is not materially restricted in scope.
1937 The report shall be filed with the [Real Estate
1938 Commission] COMMISSION within sixty days after the
1939 close of the period of the report unless, for good
1940 cause shown, the commission, in writing, extends
1941 the time [therefor] FOR FILING THE REPORT. The
1942 report shall include, but shall not be limited to:
1943 [the following:] (1) The total number of sales, as
1944 principal or agent, subject to said sections
1945 during the period; (2) information relating to the
1946 receipt and disposition of all funds handled in
1947 connection with transactions subject to said
1948 sections; and (3) the total dollar volume of such
1949 sales.

1950 (b) The Commissioner of Consumer Protection,
1951 with the advice and assistance of the [Real Estate
1952 Commission] COMMISSION, may, BY REGULATION ADOPTED
1953 IN ACCORDANCE WITH CHAPTER 54, require such
1954 [other] ADDITIONAL information in such report as
1955 the commissioner may deem necessary. [from time to
1956 time by regulation.]

1957 (c) In the event that a real property
1958 securities dealer fails to file a report pursuant
1959 to this section the commissioner may cause an
1960 audit to be made and shall charge and collect the
1961 cost of the audit from such dealer.

1962 Sec. 57. Section 20-329u of the general
1963 statutes is repealed and the following is
1964 substituted in lieu thereof:

1965 Whenever the [Real Estate Commission]
1966 COMMISSION finds that [any person is (a)] (1) ANY
1967 PERSON IS violating the provisions of sections
1968 20-329o to 20-329bb, inclusive, AS AMENDED BY THIS
1969 ACT, [(b) that he is conducting his] (2) ANY
1970 PERSON IS CONDUCTING business AS A REAL PROPERTY
1971 SECURITIES DEALER OR ISSUER in an unsafe or
1972 injurious manner, [(c) that] (3) the further sale
1973 of real property securities BY ANY PERSON under
1974 the provisions of said sections would be unfair,
1975 unjust or inequitable, or [(d) that] (4) the
1976 method used by [him in such sales] ANY PERSON IN

1977 THE SALE OF REAL PROPERTY SECURITIES would work a
1978 fraud upon the purchasers, [it] THE COMMISSION may
1979 order [the] SUCH person to desist and refrain from
1980 violating the provisions of said sections or from
1981 further sales OF REAL PROPERTY SECURITIES. Any
1982 person aggrieved by any order issued by the
1983 commission under this section may appeal [against
1984 such order in the manner provided in] UNDER
1985 section [20-322] 20-329aa, AS AMENDED BY THIS ACT.
1986 Sec. 58. Section 20-329v of the general
1987 statutes is repealed and the following is
1988 substituted in lieu thereof:

1989 (a) No real property security shall be sold
1990 to the public without either the issuer or the
1991 real property securities dealer first obtaining a
1992 permit from the [Real Estate Commission]
1993 COMMISSION.

1994 (b) Each [applicant] APPLICATION for a permit
1995 to sell any real property securities shall be made
1996 in writing, on such forms and in such manner and
1997 accompanied by such evidence in support of such
1998 application as is prescribed by the commission.
1999 The commission may require such information with
2000 regard to the applicant as [it] THE COMMISSION
2001 deems desirable, with due regard to the paramount
2002 interests of the public as to the honesty,
2003 truthfulness, integrity and competency of the
2004 applicant. The Commissioner of Consumer
2005 Protection, with the advice and assistance of the
2006 [Real Estate Commission] COMMISSION, may, by
2007 regulation ADOPTED IN ACCORDANCE WITH CHAPTER 54,
2008 establish reasonable filing fees, which shall not
2009 be less than forty dollars. [and] SUCH FEES shall
2010 be deposited in the General Fund.

2011 Sec. 59. Section 20-329w of the general
2012 statutes is repealed and the following is
2013 substituted in lieu thereof:

2014 (a) If the [Real Estate Commission]
2015 COMMISSION finds, IN CONNECTION WITH AN
2016 APPLICATION FILED UNDER SECTION 20-329v, AS
2017 AMENDED BY THIS ACT, that (1) the proposed plan of
2018 business of the applicant and the proposed sale of
2019 real property securities is fair, just and
2020 equitable, (2) [that] the applicant intends to
2021 transact [his] business fairly and honestly, and
2022 (3) [that] the real property securities which the
2023 applicant proposed to sell are not such as, in the
2024 opinion of the commission will work a fraud upon

2025 the purchaser [thereof] OF SUCH REAL PROPERTY
2026 SECURITIES, the commission shall issue to the
2027 applicant a permit authorizing [him] THE APPLICANT
2028 to sell such real property securities in such
2029 amounts and for such considerations and upon such
2030 terms and conditions as the commission may provide
2031 in the permit. [Otherwise, it] IF THE COMMISSION
2032 DOES NOT MAKE SUCH FINDINGS, THE COMMISSION shall
2033 deny the application, [and] refuse the permit [,]
2034 and notify the applicant in writing of its
2035 decision. The authority to issue a permit UNDER
2036 THIS SECTION shall not empower the commission to
2037 authorize the sale of notes or contracts under a
2038 plan which provides for the establishment of
2039 investment participation pools based upon such
2040 notes or contracts or authorize the issuance of
2041 certificates based upon notes or contracts being
2042 used as collateral for the certificates.

2043 (b) Any applicant aggrieved by the refusal of
2044 a permit UNDER THIS SECTION or the conditions of
2045 any permit ISSUED UNDER THIS SECTION shall be
2046 GIVEN NOTICE AND afforded AN opportunity for
2047 hearing as provided in the regulations
2048 [established] ADOPTED by the Commissioner of
2049 Consumer Protection.

2050 Sec. 60. Section 20-329x of the general
2051 statutes is repealed and the following is
2052 substituted in lieu thereof:

2053 Any person [guilty of any of the following
2054 acts] shall be fined not more than five thousand
2055 dollars or imprisoned not less than one year and
2056 not more than five years, or both fined and
2057 imprisoned, [who] IF SUCH PERSON:

2058 [(a)] (1) In any application to the [Real
2059 Estate Commission] COMMISSION or in any proceeding
2060 before [it] THE COMMISSION, or in any examination,
2061 audit or investigation made by the Department of
2062 Consumer Protection under this chapter, AS AMENDED
2063 BY THIS ACT, knowingly makes any false statement
2064 or representation, or, with knowledge of its
2065 falsity, files or causes to be filed with the
2066 commission any false statement or representation
2067 in a required report;

2068 [(b)] (2) Issues, circulates or publishes, or
2069 causes to be issued, circulated or published any
2070 advertisement, pamphlet, prospectus or circular
2071 concerning any real property security which
2072 contains any statement that is false or

2073 misleading, or IS otherwise likely to deceive a
2074 reader thereof, with knowledge that it contains
2075 such false, misleading or deceptive statement;

2076 [(c)] (3) In any respect wilfully violates or
2077 fails to comply with any provision of sections
2078 20-329o to 20-329bb, inclusive, AS AMENDED BY THIS
2079 ACT, or wilfully violates or fails, omits or
2080 neglects to obey, observe or comply with ALL OR
2081 ANY PART OF any order, decision, demand,
2082 requirement or permit [, or any part or provisions
2083 thereof,] of the commission under said sections;
2084 OR

2085 [(d)] (4) With one or more other persons,
2086 conspires to violate any permit or order issued by
2087 the commission or any provision of said sections.

2088 Sec. 61. Section 20-329z of the general
2089 statutes is repealed and the following is
2090 substituted in lieu thereof:

2091 The Commissioner of Consumer Protection, with
2092 the advice and assistance of the [Real Estate
2093 Commission] COMMISSION, may [make] ADOPT such
2094 reasonable regulations, IN ACCORDANCE WITH CHAPTER
2095 54, as the commissioner deems necessary to carry
2096 out the provisions of sections 20-329o to
2097 20-329bb, inclusive, AS AMENDED BY THIS ACT.

2098 Sec. 62. Section 20-329aa of the general
2099 statutes is repealed and the following is
2100 substituted in lieu thereof:

2101 Any person aggrieved by any decision or order
2102 of the commission UNDER SECTIONS 20-320o TO
2103 20-329bb, INCLUSIVE, AS AMENDED BY THIS ACT, may
2104 appeal [therefrom] FROM SUCH DECISION OR ORDER in
2105 accordance with the provisions of section 4-183.

2106 Sec. 63. Section 20-450 of the general
2107 statutes is repealed and the following is
2108 substituted in lieu thereof:

2109 [For the purposes of] AS USED IN sections
2110 20-450 to 20-462, inclusive, AS AMENDED BY THIS
2111 ACT, UNLESS THE CONTEXT OTHERWISE REQUIRES:

2112 (1) "Association" means (A) an
2113 ["association"] ASSOCIATION, as defined in section
2114 47-202 and an ["association of unit owners"]
2115 ASSOCIATION OF UNIT OWNERS, as defined in section
2116 47-68a and in section 47-68 of the general
2117 statutes, revised to January 1, 1975, and (B) the
2118 mandatory owners organization of any common
2119 interest community, as defined in section 47-202,
2120 which community was not created under chapter 825

2121 or 828 or under chapter 825 of the general
2122 statutes, revised to January 1, 1975.
2123 "Association" [shall] DOES not include an
2124 association of a common interest community which
2125 contains only units restricted to nonresidential
2126 use;

2127 (2) "Community association manager" means a
2128 person who provides association management
2129 services;

2130 (3) "Association management services" means
2131 services provided to an association for
2132 remuneration including one or more of the
2133 following: (A) Collecting, controlling or
2134 disbursing funds of the association or having the
2135 authority to do so; (B) preparing budgets or other
2136 financial documents for the association; (C)
2137 assisting in the conduct of or conducting
2138 association meetings; (D) advising or assisting
2139 the association in obtaining insurance; (E)
2140 coordinating or supervising the overall operations
2141 of the association; (F) advising the association
2142 on the overall operations of the association. Any
2143 person licensed in this state under any provision
2144 of the general statutes or rules of court who
2145 provides the services for which he is licensed to
2146 an association for remuneration, shall not be
2147 deemed to be providing association management
2148 services. Any director, officer or other member of
2149 an association who provides services specified in
2150 this subsection to the association of which he is
2151 a member shall not be deemed to be providing
2152 association management services;

2153 (4) "Commission" means the CONNECTICUT Real
2154 Estate Commission APPOINTED UNDER THE PROVISIONS
2155 OF SECTION 20-311a, AS AMENDED BY THIS ACT;

2156 (5) "Department" means the Department of
2157 Consumer Protection; and

2158 (6) "Person" means an individual,
2159 partnership, corporation, limited liability
2160 company or other legal entity.

2161 Sec. 64. Subsection (b) of section 20-454 of
2162 the general statutes is repealed and the following
2163 is substituted in lieu thereof:

2164 (b) In the event the applicant requests a
2165 hearing within such ten days, the commission shall
2166 give notice of the grounds for its refusal and
2167 shall conduct a hearing concerning such refusal in

2168 accordance with the provisions of chapter 54
2169 concerning contested [matters] CASES.

2170 Sec. 65. Subsection (a) of section 20-456 of
2171 the general statutes is repealed and the following
2172 is substituted in lieu thereof:

2173 (a) The commission may revoke, suspend or
2174 refuse to issue or renew any certificate of
2175 registration as a community association manager or
2176 place a registrant on probation or issue a letter
2177 of reprimand for: (1) Making any material
2178 misrepresentation; (2) making any false promise of
2179 a character likely to influence, persuade or
2180 induce; (3) failing, within a reasonable time, to
2181 account for or remit any moneys coming into his
2182 possession which belong to others; (4) conviction
2183 in a court of competent jurisdiction of this or
2184 any other state of forgery, embezzlement,
2185 obtaining money under false pretenses, larceny,
2186 extortion, conspiracy to defraud, or other like
2187 offense or offenses, provided suspension or
2188 revocation under this subdivision shall be subject
2189 to the provisions of section 46a-80; (5)
2190 commingling funds of others in an escrow or
2191 trustee account; (6) commingling funds of
2192 different associations; (7) any act or conduct
2193 which constitutes dishonest, fraudulent or
2194 improper dealings; or (8) a violation of any
2195 provision of sections 20-450 to 20-462, inclusive,
2196 AS AMENDED BY THIS ACT, or any regulation [issued]
2197 ADOPTED under section 20-461.

2198 Sec. 66. Section 20-500 of the general
2199 statutes is repealed and the following is
2200 substituted in lieu thereof:

2201 As used in sections 20-500 to 20-528,
2202 inclusive, AS AMENDED BY THIS ACT, UNLESS THE
2203 CONTEXT OTHERWISE REQUIRES:

2204 (1) "Appraisal Foundation" means the
2205 not-for-profit corporation referred to in Section
2206 1121 of Title XI of FIRREA.

2207 (2) "Certified appraiser" means a person who
2208 has satisfied the minimum requirements for a
2209 category of certification established by the [Real
2210 Estate Appraisal Commission] COMMISSION by
2211 regulation. Such minimum requirements shall be
2212 consistent with guidelines established by the
2213 Appraisal Qualification Board of the Appraisal
2214 Foundation. The categories of certification shall
2215 include, but may be modified by the [Real Estate

2216 Appraisal Commission] COMMISSION thereafter, one
2217 category denoted as "certified residential
2218 appraiser" and another denoted as "certified
2219 general appraiser".

2220 (3) "Tenured appraiser" means a person who
2221 held a real estate appraisal license as of January
2222 1, 1991, and has satisfied the minimum
2223 requirements for a license as a tenured appraiser
2224 as established by the [Real Estate Appraisal
2225 Commission] COMMISSION by regulation. The
2226 categories of tenured appraisal shall include one
2227 category denoted as "tenured residential
2228 appraiser" and another denoted as "tenured general
2229 appraiser".

2230 (4) "Commission" means the CONNECTICUT Real
2231 Estate Appraisal Commission APPOINTED UNDER THE
2232 PROVISIONS OF SECTION 20-502, AS AMENDED BY THIS
2233 ACT.

2234 (5) "Engaging in the real estate appraisal
2235 business" means the act or process of estimating
2236 the value of real estate for a fee or other
2237 valuable consideration.

2238 [(6) "Federally related transaction" has the
2239 meaning given by Section 1121 of Title XI of
2240 FIRREA.]

2241 [(7)] (6) "FIRREA" means the Financial
2242 Institutions, Reform, Recovery and Enforcement Act
2243 of 1989, P.L. 101-73, 103 Stat. 183.

2244 [(8)] (7) "Licensed appraiser" means a person
2245 who has satisfied the minimum requirements for a
2246 category of licensing, other than licensed tenured
2247 appraiser, established by the [Real Estate
2248 Appraisal Commission] COMMISSION by regulation.
2249 Such minimum requirements may be consistent with
2250 guidelines established by the Appraisal
2251 Qualification Board of the Appraisal Foundation.
2252 The categories of licensing shall include, but may
2253 be modified by the [Real Estate Appraisal
2254 Commission] COMMISSION thereafter, one category
2255 denoted as "licensed residential appraiser" and
2256 another denoted as "licensed general appraiser".

2257 [(9)] (8) "Person" means any individual,
2258 partnership, association, limited liability
2259 company or corporation.

2260 [(10)] (9) "Provisional appraiser" means a
2261 person engaged in the business of estimating the
2262 value of real estate for a fee or other valuable
2263 consideration under the supervision of a licensed

2264 or certified real estate appraiser and who meets
2265 the minimum requirements, if any, established by
2266 the [Real Estate Appraisal Commission] COMMISSION
2267 by regulation for provisional appraiser status.

2268 [(11)] (10) "Real estate appraiser" means a
2269 person engaged in the business of estimating the
2270 value of real estate for a fee or other valuable
2271 consideration.

2272 Sec. 67. Subsection (b) of section 20-502 of
2273 the general statutes is repealed and the following
2274 is substituted in lieu thereof:

2275 (b) The commission shall consist of eight
2276 persons, electors of the state, appointed by the
2277 Governor. Five of the members shall be certified
2278 appraisers. Three of the members shall be public
2279 members. Not more than a bare majority of [said]
2280 THE commission shall be members of the same
2281 political party and there shall be at least one
2282 member from each congressional district.

2283 Sec. 68. Section 20-504 of the general
2284 statutes is repealed and the following is
2285 substituted in lieu thereof:

2286 The Commissioner of Consumer Protection, with
2287 advice and assistance from the commission, may
2288 [make] ADOPT such reasonable regulations, in
2289 accordance with chapter 54, as the commissioner
2290 deems necessary to carry out the provisions of
2291 sections 20-500 to 20-528, inclusive, AS AMENDED
2292 BY THIS ACT. Such regulations shall, at a minimum,
2293 address real estate appraiser qualifications,
2294 continuing education, discipline, real estate
2295 appraiser certification, licensing, tenured
2296 licensing and provisional licensing applications
2297 and renewals and shall require any real estate
2298 appraiser to comply with generally accepted
2299 standards of professional appraisal practice as
2300 described in the Uniform Standards of Professional
2301 Appraisal Practice issued by the Appraisal
2302 Standards Board of the Appraisal Foundation
2303 pursuant to Title XI of FIRREA. The regulations
2304 shall further require any real estate appraiser
2305 who wishes to enter in or upon any premises not
2306 the subject of appraisal for purposes of
2307 estimating the value of comparable real estate to
2308 obtain the permission of the owner or occupier of
2309 the premises and to identify himself as an
2310 appraiser.

2311 Sec. 69. Section 20-505 of the general
2312 statutes is repealed and the following is
2313 substituted in lieu thereof:

2314 The chairman OF THE COMMISSION shall be
2315 bonded under the provisions of section 4-20, in
2316 such sum as the State Insurance Purchasing Board
2317 may prescribe, with THE condition that [he] THE
2318 CHAIRMAN faithfully perform the duties of his
2319 office and account for all funds received [under
2320 color of his] PURSUANT TO SUCH office.

2321 Sec. 70. Section 20-508 of the general
2322 statutes is repealed and the following is
2323 substituted in lieu thereof:

2324 Any person possessing the qualifications
2325 prescribed in sections 20-500 to 20-528,
2326 inclusive, AS AMENDED BY THIS ACT, and in any
2327 regulations adopted in conformity [thereto] WITH
2328 SAID SECTIONS, who desires to engage in the real
2329 estate appraisal business shall make application
2330 TO THE COMMISSION, in writing, as [hereinafter]
2331 provided IN SECTION 20-509, AS AMENDED BY THIS
2332 ACT, [to the commission] for the specific
2333 certification, license, tenured license or
2334 provisional license desired.

2335 Sec. 71. Section 20-509 of the general
2336 statutes is repealed and the following is
2337 substituted in lieu thereof:

2338 (a) Certifications, licenses, tenured
2339 licenses and provisional licenses UNDER SECTIONS
2340 20-500 TO 20-528, INCLUSIVE, AS AMENDED BY THIS
2341 ACT, shall be granted only to persons who bear a
2342 good reputation for honesty, truthfulness and fair
2343 dealing and who are competent to transact the
2344 business of a real estate appraiser in such manner
2345 as to safeguard the interests of the public.

2346 (b) Each application for a certification,
2347 license, tenured license or provisional license
2348 UNDER SAID SECTIONS, or for a renewal thereof,
2349 shall be made in writing, on such forms and in
2350 such manner as is prescribed by the Department of
2351 Consumer Protection and accompanied by such
2352 evidence in support of such application as is
2353 prescribed by the commission. The commission may
2354 require such information with regard to an
2355 applicant as [it] THE COMMISSION deems desirable,
2356 with due regard to the paramount interests of the
2357 public, as to the honesty, truthfulness, integrity
2358 and competency of the applicant and, where the

2359 applicant is a corporation, association or
2360 partnership, as to the honesty, truthfulness,
2361 integrity and competency of the officers of such
2362 corporation or the members of such association or
2363 partnership.

2364 (c) [Application fees, paid the commission,
2365 shall be] FEES FOR APPLICATIONS UNDER THIS SECTION
2366 SHALL BE PAID TO THE COMMISSION AS FOLLOWS: Sixty
2367 dollars for certification; forty dollars for
2368 licensing; forty dollars for tenured licensing and
2369 forty dollars for provisional licensing. The
2370 payment of an application fee shall entitle an
2371 applicant who otherwise meets the appropriate
2372 requirements established by the commission to take
2373 the appropriate written examination, where
2374 applicable, four times within the one-year period
2375 from the date of payment. In addition to the
2376 application fee, applicants taking an examination
2377 administered by a national testing service shall
2378 be required to pay directly to such testing
2379 service an examination fee covering the cost of
2380 such examination.

2381 Sec. 72. Section 20-510 of the general
2382 statutes is repealed and the following is
2383 substituted in lieu thereof:

2384 In order to determine the competency of any
2385 applicant for a real estate appraiser's
2386 certification or license, the commission shall,
2387 and, in the case of an applicant for a provisional
2388 license, may subject such applicant to personal
2389 written examination as to [his] THE APPLICANT'S
2390 competency to act as a real estate appraiser. Such
2391 examination shall be prepared by the Department of
2392 Consumer Protection or by a national testing
2393 service designated by the Commissioner of Consumer
2394 Protection, shall be administered to applicants by
2395 the Department of Consumer Protection or by such
2396 testing service at such times and places as [said]
2397 THE commissioner may deem necessary and shall be
2398 consistent with guidelines established by the
2399 Appraisal Qualification Board of the Appraisal
2400 Foundation. The commission may waive the written
2401 examination requirement in the case of an
2402 applicant who, in the opinion of the commission,
2403 has taken an equivalent written examination in
2404 another state and has received a score deemed
2405 satisfactory by the commission.

2406 Sec. 73. Subsection (e) of section 20-511 of
2407 the general statutes is repealed and the following
2408 is substituted in lieu thereof:

2409 (e) Any person whose application has been
2410 filed as [herein] provided IN THIS SECTION AND
2411 SECTION 20-509, AS AMENDED BY THIS ACT, who is
2412 refused a certification, license, tenured license
2413 or provisional license shall be given notice and
2414 afforded AN opportunity for hearing as provided in
2415 the regulations [established] ADOPTED by the
2416 Commissioner of Consumer Protection.

2417 Sec. 74. Section 20-512 of the general
2418 statutes is repealed and the following is
2419 substituted in lieu thereof:

2420 The Commissioner of Consumer Protection, with
2421 the advice and assistance of the commission, may
2422 [make] ADOPT such reasonable regulations, IN
2423 ACCORDANCE WITH CHAPTER 54, as the commissioner a
2424 may deem necessary relating to the approval of
2425 schools offering courses in real estate appraisal
2426 principles and practice and related subjects, the
2427 content of such courses or programs and the
2428 advertising to the public of the services of such
2429 schools. Such regulations shall not require
2430 approval of instructors at such schools.

2431 Sec. 75. Section 20-514 of the general
2432 statutes is repealed and the following is
2433 substituted in lieu thereof:

2434 (a) No certification, license, tenured
2435 license or provisional license, as the case may
2436 be, shall be denied by the commission UNDER
2437 SECTIONS 20-500 TO 20-528, INCLUSIVE, AS AMENDED
2438 BY THIS ACT, to any applicant who has been
2439 convicted of forgery, embezzlement, obtaining
2440 money under false pretenses, extortion, criminal
2441 conspiracy to defraud, or other like offense or
2442 offenses, or to any association or partnership of
2443 which such person is a member, or to any
2444 corporation of which such person is an officer or
2445 in which as a stockholder such person has or
2446 exercises a controlling interest either directly
2447 or indirectly except in accordance with the
2448 provisions of section 46a-80.

2449 (b) No certification, license, tenured
2450 license or provisional license, as the case may
2451 be, shall be issued by the Department of Consumer
2452 Protection UNDER SECTIONS 20-500 TO 20-528,
2453 INCLUSIVE, AS AMENDED BY THIS ACT, to any

2454 applicant (1) whose application for a
2455 certification, license, tenured license or
2456 provisional license, as the case may be, has,
2457 within one year prior to the date of his
2458 application, [hereunder,] been rejected in this
2459 state, in any other state or in the District of
2460 Columbia or (2) whose certification, license,
2461 tenured license or provisional license, as the
2462 case may be, has, within one year prior to the
2463 date of his application, [hereunder,] been revoked
2464 in this state, in any other state or in the
2465 District of Columbia.

2466 (c) No certification, license, tenured
2467 license or provisional license, as the case may
2468 be, shall be issued UNDER SECTIONS 20-500 TO
2469 20-528, INCLUSIVE, AS AMENDED BY THIS ACT, to any
2470 person who has not attained the age of eighteen
2471 years.

2472 Sec. 76. Section 20-515 of the general
2473 statutes is repealed and the following is
2474 substituted in lieu thereof:

2475 (a) A nonresident of this state may become a
2476 real estate appraiser by conforming to all of the
2477 provisions of sections 20-500 to 20-528,
2478 inclusive, AS AMENDED BY THIS ACT. The commission
2479 shall recognize a current, valid certification,
2480 license or provisional license, as the case may
2481 be, issued to a currently practicing, competent
2482 real estate appraiser by another state as
2483 satisfactorily qualifying him for a certification,
2484 license or provisional license, as the case may
2485 be, as a real estate appraiser under said
2486 sections, provided: [the] (1) THE laws of the
2487 state of which he is a resident require that
2488 applicants for certifications, licenses or
2489 provisional licenses, as the case may be, as real
2490 estate appraiser permit certifications, licenses
2491 or provisional licenses to be issued to residents
2492 of [the state of Connecticut] THIS STATE,
2493 certified, licensed or provisionally licensed, as
2494 the case may be, under said sections, without
2495 examination, and [provided further that] (2) the
2496 certification, licensing and provisional licensing
2497 requirements of [such] THE state OF WHICH HE IS A
2498 RESIDENT are substantially similar to, or higher
2499 than those of this state, including establishment
2500 of competency by written examination in the case
2501 of licensed and certified appraisers, and such

2502 appraiser has no disciplinary proceeding or
2503 unresolved complaint pending against him. If the
2504 applicant is a resident of a state which does not
2505 have such requirements, such applicant shall be
2506 certified, licensed or provisionally licensed by a
2507 state in accordance with Section 1116 of Title XI
2508 of FIRREA.

2509 (b) Every nonresident applicant shall file an
2510 irrevocable consent that suits and actions may be
2511 commenced against such applicant in the proper
2512 court in any judicial district of the state in
2513 which a cause of action may arise or in which the
2514 plaintiff may reside, by the service of any
2515 process or pleading, authorized by the laws of
2516 this state, on the chairman of the commission,
2517 such consent stipulating and agreeing that such
2518 service of such process or pleading shall be taken
2519 and held in all courts to be as valid and binding
2520 as if service had been made upon such applicant in
2521 [the state of Connecticut] THIS STATE. If any
2522 process or pleadings mentioned in this chapter, AS
2523 AMENDED BY THIS ACT, are served upon [said] THE
2524 chairman OF THE COMMISSION, it shall be by
2525 duplicate copies, one of which shall be filed in
2526 the office of the commission, and the other
2527 immediately forwarded by registered or certified
2528 mail, to the applicant against whom such process
2529 or pleadings are directed, at the last-known
2530 address of such applicant as shown by the records
2531 of the commission. [, and no] NO default in any
2532 such proceedings or action shall be taken unless
2533 it appears by affidavit of the chairman of the
2534 commission that a copy of the process or pleading
2535 was mailed to the defendant as [herein] required
2536 IN THIS SUBSECTION, and no judgment by default
2537 shall be taken in any such action or proceeding
2538 within twenty days after the date of mailing of
2539 such process or pleading to the nonresident
2540 defendant.

2541 (c) The Commissioner of Consumer Protection,
2542 with the advice and assistance of the commission,
2543 pursuant to Section 1122(a) of Title XI of FIRREA,
2544 shall [make] ADOPT such reasonable regulations, IN
2545 ACCORDANCE WITH CHAPTER 54, as the commissioner
2546 deems necessary to effectuate certification,
2547 licensing and provisional licensing of nonresident
2548 appraisers. Such certification, licensing and
2549 provisional licensing shall be recognized on a

2550 temporary basis in this state. The fee for a
2551 temporary certification, license or provisional
2552 license shall be [the sum of] one hundred fifty
2553 dollars. The temporary certification, license or
2554 provisional license shall be effective for ninety
2555 days from issuance and for only one appraisal
2556 assignment.

2557 Sec. 77. Subsection (b) of section 20-517 of
2558 the general statutes is repealed and the following
2559 is substituted in lieu thereof:

2560 (b) The commission shall authorize the
2561 Department of Consumer Protection to issue a
2562 renewal certification, license, tenured license or
2563 provisional license, as the case may be, to any
2564 applicant who possesses the qualifications
2565 specified and otherwise has complied with the
2566 provisions of sections 20-500 to 20-528,
2567 inclusive, AS AMENDED BY THIS ACT, and any
2568 regulation adopted in conformity [thereto] WITH
2569 SAID SECTIONS.

2570 Sec. 78. Section 20-518 of the general
2571 statutes is repealed and the following is
2572 substituted in lieu thereof:

2573 The Department of Consumer Protection may,
2574 upon the request of the commission or upon the
2575 verified complaint in writing of any person,
2576 provided such complaint, or such complaint
2577 together with evidence, documentary or otherwise,
2578 represented in connection [therewith] WITH SUCH
2579 COMPLAINT, shall make out a prima facie case,
2580 investigate the actions of any real estate
2581 appraiser or any person who assumes to act in any
2582 of such capacities within this state. The
2583 commission shall have the power temporarily to
2584 suspend or permanently to revoke any
2585 certification, license, tenured license or
2586 provisional license, as the case may be, issued
2587 under the provisions of sections 20-500 to 20-528,
2588 inclusive, AS AMENDED BY THIS ACT, and in addition
2589 to, or in lieu of, such suspension or revocation,
2590 may, in its discretion, impose a fine of not more
2591 than one thousand dollars for the first offense at
2592 any time when, after proceedings as provided in
2593 section 20-519, AS AMENDED BY THIS ACT, it finds
2594 that the certification holder, licensee, tenured
2595 licensee or provisional licensee has by false or
2596 fraudulent misrepresentation obtained a
2597 certification, license, tenured license or

2598 provisional license, as the case may be, or that
2599 the certification holder, licensee, tenured
2600 licensee or provisional licensee is guilty of any
2601 of the following: (1) Making any material
2602 misrepresentation; (2) making any false promise of
2603 a character likely to influence, persuade or
2604 induce; (3) acting for more than one party in a
2605 transaction without the knowledge of all parties
2606 for whom he acts; (4) conviction in a court of
2607 competent jurisdiction of this or any other state
2608 of forgery, embezzlement, obtaining money under
2609 false pretenses, larceny, extortion, conspiracy to
2610 defraud, or other like offense or offenses,
2611 provided suspension or revocation under this
2612 subdivision shall be subject to the provisions of
2613 section 46a-80; (5) any act or conduct which
2614 constitutes dishonest, fraudulent or improper
2615 dealings; (6) a violation of any provision of
2616 sections 20-500 to 20-528, inclusive, AS AMENDED
2617 BY THIS ACT, or any regulation [issued] ADOPTED
2618 under said sections.

2619 Sec. 79. Section 20-519 of the general
2620 statutes is repealed and the following is
2621 substituted in lieu thereof:

2622 Before refusing, suspending or revoking any
2623 certification, license, tenured license or
2624 provisional license, or imposing any fine, the
2625 commission shall give notice and afford AN
2626 opportunity for hearing as provided in the
2627 regulations [established] ADOPTED by the
2628 Commissioner of Consumer Protection.

2629 Sec. 80. Section 20-521 of the general
2630 statutes is repealed and the following is
2631 substituted in lieu thereof:

2632 Any certification holder, licensee, tenured
2633 licensee or provisional licensee convicted of a
2634 violation of any of the offenses enumerated in
2635 subdivision (4) of section 20-518, AS AMENDED BY
2636 THIS ACT, shall incur a forfeiture of his
2637 certification, license, tenured license or
2638 provisional license and all moneys that may have
2639 been paid [therefor] FOR SUCH CERTIFICATION,
2640 LICENSE, TENURED LICENSE OR PROVISIONAL LICENSE.
2641 The clerk of any court [wherein] IN WHICH such
2642 conviction has been [had] RENDERED shall forward
2643 to the commission without charge a certified copy
2644 of such conviction. The commission, upon the
2645 receipt of a copy of the judgment of conviction,

2646 shall, [within ten days thereafter] NOT LATER THAN
2647 TEN DAYS AFTER SUCH RECEIPT, notify the
2648 certification holder, licensee, tenured licensee
2649 or provisional licensee, in writing, of the
2650 revocation of his certification, license, tenured
2651 license or provisional license, as the case may
2652 be, which notice shall be conclusive of [the
2653 revocation thereof] SUCH REVOCATION. Application
2654 for reinstatement of such certification, license,
2655 tenured license or provisional license shall be
2656 subject to the provisions of section 46a-80.

2657 Sec. 81. Subsection (a) of section 20-523 of
2658 the general statutes is repealed and the following
2659 is substituted in lieu thereof:

2660 (a) Any person who engages in the [business
2661 of real estate appraiser] REAL ESTATE APPRAISAL
2662 BUSINESS without obtaining a certification,
2663 license, tenured license or provisional license,
2664 as the case may be, as [herein] provided IN
2665 SECTIONS 20-500 TO 20-528, INCLUSIVE, AS AMENDED
2666 BY THIS ACT, shall be fined not more than one
2667 thousand dollars or imprisoned not more than six
2668 months or both, and shall be ineligible to obtain
2669 a certification, license, tenured license or
2670 provisional license for one year from the date of
2671 conviction of such offense, except the commission,
2672 in its discretion, may grant a certification,
2673 license, tenured license or provisional license,
2674 as the case may be, to such person within such
2675 one-year period upon application and after a
2676 hearing [thereon] ON SUCH APPLICATION.

2677 Sec. 82. Section 20-524 of the general
2678 statutes is repealed and the following is
2679 substituted in lieu thereof:

2680 The commission shall submit to the Governor,
2681 as provided in section 4-60, a report of its
2682 official acts under sections 20-500 to 20-528,
2683 inclusive, AS AMENDED BY THIS ACT. The commission
2684 shall keep a record of proceedings and orders
2685 pertaining to the matters under its jurisdiction
2686 and of certifications, licenses, tenured licenses
2687 or provisional licenses granted, refused,
2688 suspended or revoked by it and of all reports sent
2689 to its office. The commission shall furnish
2690 without charge, for official use only, certified
2691 copies of certifications, licenses, tenured
2692 licenses, provisional licenses and documents
2693 relating thereto, to officials of [the] THIS state

2694 or any municipality [therein] IN THIS STATE, to
2695 officials of any other state and to any court in
2696 this state. Any certified copy of any document or
2697 record of the commission, attested as a true copy
2698 by the chairman of the commission, shall be
2699 competent evidence in any court of this state of
2700 the facts [therein] contained IN SUCH DOCUMENT OR
2701 RECORD.

2702 Sec. 83. Section 20-525 of the general
2703 statutes is repealed and the following is
2704 substituted in lieu thereof:

2705 The Department of Consumer Protection, at the
2706 request of the commission, may periodically
2707 compile and publish a bulletin containing
2708 information and material relating to the
2709 commission, its functions and certifications,
2710 licenses, tenured licenses, provisional licenses
2711 and other information and material relating to the
2712 real estate appraisal industry which might be of
2713 help and interest to certificate holders,
2714 licensees, tenured licensees or provisional
2715 licensees in their service of the public. The
2716 commission may also request the department to
2717 publish such information and material in any
2718 established periodical published in the state if,
2719 in the opinion of [that] THE commission, such form
2720 of publication would ensure the widest
2721 dissemination of such information and material to
2722 certification holders, licensees, tenured
2723 licensees and provisional licensees and the
2724 public.

2725 Sec. 84. Subsection (a) of section 20-528 of
2726 the general statutes is repealed and the following
2727 is substituted in lieu thereof:

2728 (a) On or before May 1, 1994, the Department
2729 of Consumer Protection shall adopt regulations, IN
2730 ACCORDANCE WITH CHAPTER 54, to implement the
2731 purposes of sections 20-311 to 20-311b, inclusive,
2732 20-311d, 20-311e, 20-312, 20-312b to 20-314b,
2733 inclusive, 20-316, 20-317, 20-319, 20-320 to
2734 20-324, inclusive, 20-325, 20-326, 20-327a to
2735 20-329, inclusive, and 20-500 to 20-526,
2736 inclusive.

2737 Sec. 85. Section 21a-6 of the general
2738 statutes, as amended by section 8 of public act
2739 97-166, is repealed and the following is
2740 substituted in lieu thereof:

2741 The following boards shall be within the
2742 Department of Consumer Protection:
2743 (1) The Architectural Licensing Board
2744 established under chapter 390;
2745 (2) Repealed by P.A. 93-151, S. 3, 4;
2746 (3) The examining boards for electrical work;
2747 plumbing and piping work; heating, piping and
2748 cooling work; elevator installation, repair and
2749 maintenance work; and fire protection sprinkler
2750 systems work established under chapter 393;
2751 (4) The State Board of Television and Radio
2752 Service Examiners established under chapter 394;
2753 (5) The Commission of Pharmacy established
2754 under chapter 400j;
2755 (6) The State Board of Landscape Architects
2756 established under chapter 396;
2757 (7) The State Tree Protection Examining Board
2758 established under sections 23-61a to 23-65,
2759 inclusive;
2760 (8) The State Board of Examiners for
2761 Professional Engineers and Land Surveyors
2762 established under chapter 391;
2763 (9) Repealed by P.A. 80-484, S. 175, 176;
2764 (10) The Connecticut Real Estate Commission
2765 established under chapter 392, AS AMENDED BY THIS
2766 ACT;
2767 (11) The Connecticut Real Estate Appraisal
2768 Commission established under chapter [400j] 400g,
2769 AS AMENDED BY THIS ACT; and
2770 (12) The State Board of Examiners of
2771 Shorthand Reporters established under sections 1
2772 to 7, inclusive, of [this act] PUBLIC ACT 97-166.

2773 GL COMMITTEE VOTE: YEA 16 NAY 0 JFS

* * * * *

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

* * * * *

FISCAL IMPACT STATEMENT - BILL NUMBER sSB 240

STATE IMPACT None, see explanation below
MUNICIPAL IMPACT None
STATE AGENCY(S) Department of Consumer Protection

EXPLANATION OF ESTIMATES:

There is no fiscal impact for the Department of Consumer Protection as a result of the passage of this bill.

The bill contains technical changes to chapter 392 of the General Statutes concerning real estate brokers and salespersons and chapter 400g of the General Statutes concerning real estate appraisers.

* * * * *

OLR BILL ANALYSIS

sSB 240

AN ACT CONCERNING TECHNICAL REVISIONS TO CHAPTER 392 OF THE GENERAL STATUTES CONCERNING REAL ESTATE BROKERS AND SALESPERSONS, TO CERTAIN STATUTES CONCERNING THE CONNECTICUT REAL ESTATE COMMISSION AND THE CONNECTICUT REAL ESTATE APPRAISAL COMMISSION, AND TO CHAPTER 400G OF THE GENERAL STATUTES CONCERNING REAL ESTATE APPRAISERS

SUMMARY: This bill makes numerous technical and grammatical changes in the General Statutes.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute
Yea 16 Nay 0